United Nations S/PV.4335

Security Council

Fifty-sixth year

Provisional

4335th meeting

Friday, 22 June 2001, 10 a.m.
New York

President:	Mr. Chowdhury	(Bangladesh)
Members:	China	Mr. Shen Guofang
	Colombia	Mr. Valdivieso
	France	Mr. Doutriaux
	Ireland	Mr. Ryan
	Jamaica	Miss Durrant
	Mali	Mr. Touré
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Granovsky
	Singapore	Ms. Lee
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kuchinsky
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

> Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2001/565).
>
> Report of the Security Council Mission on the implementation of Security Council resolution 1244 (1999) (S/2001/600).

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The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2001/565)

Report of the Security Council Mission on the implementation of Security Council resolution 1244 (1999) (S/2001/600)

The President: I should like to inform the Council that I have received letters from the representatives of Albania, the Federal Republic of Yugoslavia and Sweden, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Šahović (Yugoslavia) took a seat at the Council table; Mr. Nesho (Albania) and Mr. Schori (Sweden), took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Guéhenno to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Security Council mission on the implementation of Security Council resolution 1244 (1999), document S/2001/600. Members of the Council also have before them the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, document S/2001/565.

I should like to draw the attention of the members of the Council to the following additional documents: S/2001/538, letter dated 22 May 2001 from Sweden addressed to the Secretary-General; S/2001/563, letter dated 5 June 2001 from the Federal Republic of Yugoslavia addressed to the President of the Security Council; and S/2001/601, letter dated 15 June 2001 from the Russian Federation addressed to the Secretary-General.

I give the floor to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

Mr. Guéhenno: I very much welcome this opportunity to discuss the main challenges facing Kosovo, which the Council was able to experience first hand during its recent visit.

The report of the mission concurs with the views expressed by the Secretary-General in his report on Kosovo which was circulated on 13 June. The report points out that the key challenges are indeed interrelated. They are security, return of refugees and internally displaced persons, the issue of the missing and detainees, confidence-building measures and the holding of Kosovo-wide elections later this year.

The Security Council mission will have seen that the United Nations Interim Administration Mission in Kosovo (UNMIK) is working on all fronts to move forward in all of these areas, particularly to improve the situation of the minority communities and solicit their participation in the UNMIK-led process, which is the key to the success of the democratic process.

Today I will not go into too many details; these are amply provided both in the Secretary-General's report and in the report of the Security Council mission. Instead, if I may, I will focus on the main messages that came out of the Council visit and that are crucial for the future development of Kosovo: namely, multi-ethnicity, the engagement of all communities in the political process and confidence-building measures.

First, how to engage the communities. We were very pleased to see from the findings of the Security

Council mission's report that its main message to the representatives of all communities was the need for multi-ethnicity. This was precisely the message I took with me when I visited Kosovo back in April. I then told the members of the Kosovo Albanian leadership that it is the duty of the majority in a democratic process to ensure the rights of the minority communities, and I told the minority communities that the only way to ensure a viable future was through participation in the political process. I shared the view of the Council and Special Representative of the Secretary-General Haekkerup that while the international community can assist in creating conditions conducive to a multi-ethnic Kosovo, it is very much the responsibility of the Kosovars themselves to achieve that goal. I was pleased to see that this message was delivered in such an unequivocal way to those members of the Kosovo leadership with whom the Council mission met.

As both the Council mission's report and the Secretary-General's report underline, the political engagement of all communities in this process, particularly the Kosovo Serb community, remains a major challenge for UNMIK. This challenge can only be rendered more difficult by the continuing division within the Kosovo Serb community itself.

We are pleased to note from the Security Council mission's report that the meetings the mission had in Belgrade were held in a very constructive atmosphere. The authorities of the Federal Republic of Yugoslavia are still concerned about some aspects of the Constitutional Framework, but they accept that the document cannot be changed. Instead, we should be looking at the creation of confidence-building measures vis-à-vis the Kosovo Serb community.

We fully support this, as does the Council in its report. It is essential to move the process forward and elaborate such confidence-building measures in conjunction with the authorities of the Federal Republic of Yugoslavia. In this regard, we are very pleased to see an increasing dialogue between Special Representative of the Secretary-General Haekkerup and the authorities of the Federal Republic of Yugoslavia. It is only through consistent and patient dialogue that we will be able to move the process forward.

As far as the divisions in the Kosovo Serb community are concerned, we believe that the Council mission saw these first hand during its visit. We agree with the assessment of the Council and the Special Representative that the key element in encouraging the participation of the Kosovo Serb community is a clear signal from the authorities of the Federal Republic of Yugoslavia. In this regard, we fully support and welcome the message that the Council delivered during its meetings in Belgrade. We would encourage the Federal Republic of Yugoslavia to assist in conveying a clear message to the Kosovo Serb community that participation and integration into the structures UNMIK is establishing are indeed in their best interests.

But this is not a one-way process. We are fully aware, as is the Council, that the Kosovo Serb community has legitimate grievances. UNMIK is addressing these, as highlighted in both reports, and we must ensure that efforts continue and are enhanced to eliminate the root causes of these grievances.

One of the main challenges in this regard remains the fragile security situation, particularly for the minority communities, as highlighted in the reports. The communities, particularly the Kosovo Serb community, continue to suffer disproportionately from major crimes and ethnically motivated acts of intimidation. These factors continue to undermine UNMIK's efforts to convince the Kosovo Serb community that they will derive tangible benefits from cooperating in the UNMIK-led process.

I would like to say a word on the security situation and the law enforcement initiatives recently taken. We hope in this respect that the recent adoption of several major pieces of legislation will contribute to an improvement of the overall security situation. Namely, these are the entry into force on 4 June of regulation 2001/10, on the prohibition of unauthorized border/boundary crossings, and regulation 2001/7, on the authorization of possession of weapons in Kosovo. In addition, a week ago today Special Representative Haekkerup signed into law the regulation on the prohibition of terrorism and related offences.

In addition to these three key legislative initiatives, the establishment of the new police and justice pillar in UNMIK will pave the way for a gradual improvement in the law and order situation in Kosovo. I want to note that improvements have already been made, including the excellent police work in cooperation with the Kosovo Force that resulted in the detention, only two days after the attack, of a suspect in the bombing in central Pristina on 18 April. That bombing claimed the life of the head of the passport office of the Federal Republic of Yugoslavia Committee on Cooperation.

On the issue of returns, progress has also been made, as can be seen from both reports. Although such returns remain minimal, a lot of work continues in the background to identify potential return sites and to develop conditions that will be conducive to the return of Kosovo Serbs. A vital element in this process is the acceptance by the majority population of minority return. In this respect, we very much welcome the acceptance by the Interim Administrative Council of a general statement of principles guiding return, as well as the identification of 10 sites where return is planned to take place later in the year. I would note, however, that although there is clearly an urgent need for demonstrable progress in this area — and we know that this issue of return is of key symbolic and political importance — it remains UNMIK's and our firm policy that return should take place in secure and sustainable conditions.

On the issue of the need for developing more confidence-building measures, I would like to address the issue of Mitrovica. Mitrovica has been identified as a key area for confidence-building in order to dispel the hatred and mutual distrust that still exists on both sides. We welcome the Council's support for efforts to develop a comprehensive strategy to resolve the very complex situation in Mitrovica. Key to the success of such a strategy, as the Council pointed out, is the creation of multi-ethnic initiatives in the social, economic and religious areas to start rebuilding confidence between the communities. At the same time, there is a crucial recognition that Mitrovica is a microcosm of the problems of Kosovo as a whole, and that the correct approach will entail Kosovo-wide confidence-building measures, as well as measures that are specific to the situation in Mitrovica. One area I would highlight in the context of confidence-building measures is the very delicate issue of the missing on all sides. We were pleased to note the Council's recommendation for further progress in this crucial area, which continues to be a major impediment to reconciliation.

In conclusion, one of the major benefits of the Council's visit to Kosovo is that there is clear unanimity on the need to move the process forward. As the Council mission noted, the Constitutional Framework represents an important step in the implementation of Security Council resolution 1244 (1999). Moving the process forward on the basis of a broad consensus is essential to combating extremism and encouraging moderates on all sides. This in turn will have a beneficial effect on the security situation and the prospects for return. There is no doubt that participation in the political process is a precondition for progress.

Positive signals in favour of Kosovo-Serb registration are encouraging, but the Kosovo Serbs must also take part in the elections and take their rightful place in the provisional self-government. Both the Secretary-General and the Council have underlined that the benefits of cooperation are preferable to marginalization. This will, of course, entail risks for all communities and, in particular, for the Kosovo-Serb community. The Council's report puts it well when it says:

> "although the Kosovo Serbs did not want to commit to the political process until the process had produced improvements, the process could not produce results unless the Kosovo Serbs committed to it. The only way out was to accept the structures UNMIK was putting in place and take some risks in working with moderate views on the other side." (*S/2001/600, para. 17*)

The Council's mission has succeeded in delivering firm and balanced messages. The United Nations and the international community are committed to ensuring the protection of the rights of all communities, but the people of Kosovo must accept their share of the responsibility. The Kosovo Albanians must respect the rights of the minority communities and, in turn, the minority communities must accept the risk of participation.

The Council mission has made it clear that there is no hidden agenda. What we are all trying to do, in conformity with Security Council resolution 1244 (1999), is to take the process forward by establishing provisional self-government through the November elections and by creating a society in Kosovo that will be able to produce legitimate interlocutors for the discussions on a final settlement for Kosovo, as foreseen in resolution 1244 (1999).

I should like to conclude by extending, on behalf of the Secretary-General, my warmest appreciation to the Council for the significant contribution it has made through its recent visit to the furtherance of the democratic process in Kosovo. We hope that the discussion we have here today will enable us to move further along this path, as this will serve the cause of peace in Kosovo and in the region.

The President: Allow me to bring to the Council's attention the fact that the report of the Security Council mission to Kosovo was presented to the Council in a public meeting on 19 June, the first available afternoon following the return of the mission to New York. The official record of that meeting is available in document S/PV.4331 and provides a verbatim record of the presentation that was made on the mission and its findings.

The findings of the mission are contained in paragraphs 29-39 of document S/2001/600. These are very well articulated, carefully considered and intended to make progress in the resolution of outstanding issues in Kosovo and in enhancing the democratic process there. As Mr. Jean-Marie Guéhenno just mentioned, the Council mission conveyed a very firm and balanced message during its visit and we hope that it will make some difference in the situation there. Again, I would draw the Council's attention to the findings of the mission and urge it to consider them for further action in this area.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): We wish to thank the Secretary-General for the detailed report he has submitted on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). His assessments and conclusions, supplemented by the report of the Security Council mission on its visit to Kosovo and Belgrade, provide us with a good opportunity for a comprehensive review of the situation in and around the province and to identify further possible steps fully to implement Security Council resolution 1244 (1999).

We listened attentively and with great interest to the detailed and extremely useful briefing given by Under-Secretary-General Jean-Marie Guéhenno. He has offered a valuable analysis of the situation in Kosovo; Federal Republic of Yugoslavia.

We extend our thanks to you, Sir, as the Permanent Representative of Bangladesh to the United Nations, for the excellent manner in which you organized the Security Council's mission to Kosovo and Belgrade. We are also grateful to the leadership of UNMIK and the Kosovo Force (KFOR), as well as the personnel of the Secretariat here in New York, for their assistance during the mission.

The outcome of the mission's work confirm the timeliness and value of the visit by members of the Security Council to Kosovo and Belgrade, which had been proposed by Russia. It held substantive meetings of great importance with the UNMIK and KFOR leadership; the leadership of the Federal Republic of Yugoslavia's Committee on Kosovo; the representatives of Albanian and Serbian communities in the province; and with delegations from other Kosovo minorities. I note in particular the importance of the substantive talks between the mission and President Kostunica of the Federal Republic of Yugoslavia and other Yugoslavian leaders in Belgrade.

The main result of the visit was a clearly stated demand to the United Nations Interim Administration Mission in Kosovo, the Kosovo Force and all Kosovo political leaders that they ensure the full and comprehensive implementation of Security Council resolution 1244 (1999), primarily with respect to the security of minorities.

One very important event was, in our opinion, the meeting between the Security Council mission and the President of the Russian Federation, Mr. Vladimir Putin, on 17 June at the headquarters of the Russian contingent in Kosovo. At that meeting, what was particularly stressed was the need to isolate extremists on both sides in Kosovo and to prevent them from driving a wedge into the position held by members of the international community on a settlement in Kosovo.

Today, first and foremost, we must put an end to violence, terrorism and drug trafficking in and around Kosovo, ensure security and equal rights for all communities in the province without exception, and create appropriate conditions for the return to the province of refugees and internally displaced persons. Further serious efforts are essential to complete the disarmament of combatants and to eliminate their illegal armed units. We must step up the battle against crime, smuggling and illegal deliveries of weapons into the province, in violation of Security Council resolution 1160 (1998).

The recent steps taken by the UNMIK leadership against the illegal possession of weapons, the illicit crossing of the administrative and other borders of Kosovo, and terrorism create additional opportunities here.

One of the key issues now is the preparation of the Kosovo-wide elections. Our position on the Constitutional Framework for Provisional Self-Government in Kosovo is well known. Too many concessions have been made to the radicals. The document has a whole range of substantive shortcomings, to which Russia has frequently drawn attention. First of all, the Constitutional Framework contains no reference to the need for full compliance with resolution 1244 (1999), including its basic provision of respect for the sovereignty and territorial integrity of Yugoslavia. We regard as hasty the rushed adoption of the Constitutional Framework by the head of UNMIK and the declaration that province-wide elections would be held this autumn. Truly democratic and representative Kosovo-wide elections require careful preparation and — I would stress this point — the active involvement of Belgrade. We believe that in order to hold the elections, security conditions must be established that would guarantee that the genuine will of all ethnic communities in the province is respected and that they can all participate fairly in the new bodies of self-government. In this regard, it is important that even before the elections, the steady process of the return of refugees and displaced persons should begin.

We have often said — and we would like once more to stress the point — that haste in holding the elections would only strengthen the mono-ethnic nature and the radical and nationalistic mood of Kosovo.

We would like again, to warn very seriously against any attempts to impose coercive measures under the pretext that the status quo is unacceptable and that the situation in Mitrovica needs to be resolved before the elections. Solving the problem of Mitrovica is inseparable from imposing order and security throughout the territory of Kosovo. Under-Secretary-General Jean-Marie Guéhenno spoke of this. Only when the Serbs can feel safe everywhere can one start establishing a normal multi-ethnic life in Mitrovica. We agree with the opinion that was expressed at the meeting between the Security Council mission and the municipal administrator of Mitrovica, Mr. Rogers, that the status quo is preferable to extremist scenarios. Any acts of violence here would be fraught with the most dangerous consequences: a flare-up of violence throughout northern Kosovo, the involvement of Albanians in it, and then Serbs being forced out of that part of the province, which in fact would mean that they would be driven completely out of Kosovo. The solution can only be a political, comprehensive and carefully monitored one, and the basis for it must be a strengthening of trust between the Serb and Albanian communities.

We note the work done by the Secretary-General's Special Representative in Kosovo, Mr. Haekkerup, and the Mission that he heads as they try to establish normality in the province. We welcome steps to develop a dialogue between UNMIK and the Government of the Federal Republic of Yugoslavia. In particular, we welcome the recent visit by Mr. Haekkerup to Belgrade. We are counting on further development of such cooperation on all matters relating to implementation of Council resolution 1244 (1999), and not just in those cases where UNMIK comes up against problems that require it to count on assistance from the Federal Republic of Yugoslavia. We would like to emphasize once more that unless there is solid involvement with Belgrade, the Mission will not be able to discharge its mandate.

In this connection, I would like to note in particular the importance of fully taking into account in the work of UNMIK and KFOR the proposals made by President Koštunica in his meeting with the Security Council mission on specific steps by the international presence there to ensure that real progress is made in enhancing the level of security for Serbs and other minorities. We confirm the need for signing with Belgrade a status-of-forces agreement for UNMIK and KFOR. As was stressed by President Putin of the Russian Federation, in order to speed up stabilization in the Balkans it is necessary to coordinate the efforts of the international community in countering terrorism and extremism and to ensure strict implementation, without any exceptions, of resolution 1244 (1994) and the Dayton Peace Accords on Bosnia and Herzegovina.

The aggressiveness of the terrorist and extremist groups is extending to new areas, threatening further territorial spillover and undermining general security in the whole region. The main source of instability is still Kosovo. Any attempts to appease the terrorists will simply worsen the current explosive situation and expand it to include the entire Balkan region. This applies fully to what is happening today in Macedonia.

All of this confirms yet again that in order to stabilize the situation in the Balkans we need approaches based primarily on the political will of the States in the region and active assistance from the international community. That was the thrust of President Putin's proposal to convene a Balkan summit so that States of the region could conclude a legally binding agreement setting forth their mutual commitments to comply fully with the basic principles of inter-State relations, including, primarily, the inviolability of borders, sovereign equality, respect for territorial integrity, non-intervention in one another's internal affairs and non-use and non-threat of force.

The signal from the international community must be clear and unambiguous. There can be no further redrawing of borders in Europe, including in the Balkans. It is necessary to establish a solid, effective barrier to extremism, national intolerance and religious fanaticism. People who try to solve extremely complex problems of a national and religious nature by force of weapons are not worthy of support from the international community.

The President: I thank the representative of the Russian Federation for his kind words addressed to me in my capacity as representative of Bangladesh.

Mr. Cunningham (United States of America): I will keep my remarks very brief, because I think the report of the Council mission basically says it all. As Under-Secretary-General Guéhenno noted in his comments, the mission sent clear messages to its interlocutors. In my view, and in the view of my authorities, it was very useful. I want to commend you also, Mr. President, on your leadership and your effort to get so much into such a short period of time. It really was quite useful. It was particularly useful, I think, that we had the occasion to meet with Presidents Putin and Koštunica during the visit, because it I think it helped all of us understand better the context that we are working in.

I just wanted to emphasize a couple of key points from the United States point of view. We strongly support the efforts of Mr. Haekkerup and the United Nations Interim Administration Mission in Kosovo (UNMIK), including on the importance of moving to elections and improving security in the region. It was very clear that they have ambitious plans in that regard, and we support that wholeheartedly.

I also want to repeat, very simply, that the United States, as we go through this process, will support all those who favour dialogue in the political process and will oppose those who continue to incite violence, and we condemn violence from whatever quarter it comes.

The President: I thank the representative of the United States for his kind words addressed to me.

Ms. Lee (Singapore): First, Mr. President, we too would like to express our appreciation for your able leadership of the Council's mission to Kosovo. We also express our thanks to the Secretary-General for his report (S/2001/565), which we found very useful as background to the mission. We further thank the Under-Secretary-General for Peacekeeping Operations, Mr. Guéhenno, for his analysis of the key issues relating to the situation in Kosovo.

Singapore's participation in the mission to Kosovo gave us a better understanding of one of the more complex United Nations peacekeeping mission, the United Nations Interim Administration Mission in Kosovo (UNMIK). We were impressed with what has been achieved in the two years that the United Nations has been involved with Kosovo, and we commend Mr. Hans Haekkerup for his outstanding leadership and his fine work since taking up the post of UNMIK head in January 2001. We also commend the staff of UNMIK for their efforts and their achievements in rebuilding Kosovo in all aspects: security, socio-political and economic, to name just a few.

However, much more needs to be done. The involvement of the United Nations in Kosovo and the strict implementation of Security Council resolution 1244 (1999) must continue despite the great difficulties facing UNMIK. The political status of Kosovo is clear in resolution 1244 (1999); that issue should not be allowed to create further divisions in Kosovo, with all their adverse regional implications. In a statement made in January of this year by the Foreign Minister of Singapore, His Excellency Mr. S. Jayakumar, we outlined three critical areas which we felt needed to be addressed in Kosovo to bring it back to normalcy.

Today I would like to reiterate what we believe to be the most critical of them at this time: the urgent need for reconciliation amongst the Kosovar ethnic communities. That, of course, is easier said than done. But we have learned from our own experience that promoting ethnic tolerance is the key to bringing together all ethnic communities. In 1964 two waves of racial riots broke out in Singapore. A third wave of riots occurred in 1969, about four years after we attained independence as a republic. Many Singaporeans were killed in those riots. Although they were not on the scale of what has happened in Kosovo, the riots shook our nation badly. Singapore is a multi-ethnic society where different races have lived and worked together for more than three decades. It was recognized at an early stage in our history that the very existence of Singapore would depend on maintaining racial and religious harmony among our people. Thus, the Government of Singapore has adopted and continues to promote a policy of multi-ethnicity and multiculturalism. Each Singaporean is taught from an early age to respect other races, religions and cultures.

We therefore associate ourselves with those who have spoken out to condemn the continuing violence against members of ethnic minorities, in particular ethnic Serbs, in Kosovo. We also welcome the recent establishment of the first pillar and the initiatives taken by UNMIK to tackle terrorism and organized crime. We urge that all necessary measures be taken to improve the security environment in Kosovo.

It is essential that the United Nations be clear on the goals for Kosovo, in order to ensure that they are achieved. Besides reconciliation, there are other important goals. We note that the initial economic reconstruction measures that have been taken and the progress that has been achieved in the economic arena have produced encouraging results to spur economic development in Kosovo. We support the continued emphasis on developing economic sustainability. Economic growth is a strong incentive for the Kosovars to work towards a peaceful, stable and secure environment, which, in turn, is essential for the further building of the economy.

However, progress in reconciliation and economic development depends on the preparedness of the Kosovo political leadership, as they take on the responsibility of self-government, to build a democratic multi-ethnic society and a sustainable market economy in Kosovo. We also associate ourselves with those speakers who stress the importance of the full participation and engagement of all the ethnic communities in Kosovo in developing substantial autonomy.

In that regard, we support the position that Kosovo-wide elections should be held only when all the necessary conditions are in place. It is crucial to the success of the elections that all communities, including refugees and displaced persons — who should be encouraged to return — participate both in registration and in the elections themselves. Rebuilding public administration capacity is also crucial to bringing Kosovo back to normalcy. In that regard, the uniqueness of UNMIK as a United Nations peacekeeping operation, like that of the United Nations Transitional Administration in East Timor, stands out. UNMIK is an interim administration in every sense of the word, and its task must therefore be to develop Kosovo's ability to administer society as part of the peace-building process.

It is clear that, while UNMIK has made significant progress, Kosovo's return to normalcy is likely to take many more years. The priority tasks that have been outlined today require the United Nations and the international community to continue to be actively engaged in Kosovo. It is imperative that the United Nations, having taken on such a major undertaking, not terminate it prematurely.

Allow me to say that we welcome the improving relations between UNMIK and the Government of the Federal Republic of Yugoslavia. We should continue to encourage it. In that regard, the establishment of the UNMIK Office in Belgrade was a step along the right path. Direct dialogue between Kosovar political leaders and the Government of the Federal Republic of Yugoslavia should also be encouraged. We share the view that continued dialogue with the Government of the Federal Republic of Yugoslavia is important for the implementation of resolution 1244 (1999).

Mr. Shen Guofang (China) (*spoke in Chinese*): At the outset, the Chinese delegation thanks the Under-Secretary-General for Peacekeeping Operations, Mr. Guéhenno, for his analysis of the situation in Kosovo. The Chinese delegation wishes also to express appreciation to Ambassador Chowdhury for his introduction of the report of the Security Council mission to Kosovo (S/2001/600).

Under Ambassador Chowdhury's outstanding leadership, the mission completed its task in a most efficient manner, and was successful in sending to all sides an important message on rejecting violence and terrorism, and on the need to respect the rights of minority communities. The report of the mission is balanced and frank, and points the way for the future work of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR); it also sets out clear demands. In the next phase, whether or not those demands are met will provide a benchmark for evaluating the work of

UNMIK and of KFOR. In that sense, the mission's visit played a positive role.

As the report notes, since his appointment to lead UNMIK, Mr. Hans Haekkerup, along with UNMIK under his leadership and KFOR, have done a great deal towards carrying out their tasks, and have achieved some positive results in a number of areas. We appreciate their hard work.

Yet the security situation in Kosovo needs to be further improved. We note that the security of minority ethnic communities, particularly Kosovo Serbs, has yet to be guaranteed; they have returned in very small numbers, and their reintegration into society and their participation in the UNMIK-led political process has been minimal. The Chinese delegation has always stressed that, without broad participation by all ethnic communities, the outcome of elections cannot be fair but will, to the contrary, only further exacerbate inter-ethnic tension. In that connection, we note that the report indicates that the top priority now is to encourage all Kosovo communities, particularly the Serbs, to participate in the process. It also underscores the importance of dialogue and cooperation with the Government of the Federal Republic of Yugoslavia. That is crucial. We encourage UNMIK to continue and further enhance its cooperation with the Government of the Federal Republic of Yugoslavia, and to create a mechanism for regular dialogue, so as to ensure that the views of the Government of the Federal Republic of Yugoslavia are fully heard and that its reasonable proposals are accepted.

They should together foster a multi-ethnic, multicultural, richly diverse society in Kosovo, a society characterized by equality and mutual assistance.

At the same time, we hope that the minority communities in Kosovo will actively participate in the general elections. Needless to say, the precondition is that the security situation must be fundamentally improved and the plight of the minority communities, as well as the question of their property, must be satisfactorily addressed. In this regard UNMIK and KFOR should take further steps, including combating extremism, encouraging moderates on all sides, establishing inter-communal confidence, facilitating economic development and promoting stability, so that the findings of the mission may be translated into concrete action and so that resolution 1244 (1999) may thus be fully and effectively implemented.

In conclusion, I should like to emphasize that the accomplishment of national reconciliation in Kosovo will be a long, ongoing process and will require sustained and indefatigable efforts on the part of the international community.

However, the international community cannot remain passive in the face of attempts to undermine national reconciliation. Any efforts to nudge Kosovo towards independence, or attempts to condone extremist forces that advocate the dissolution of other ethnic communities, are extremely dangerous and will lead to new upheavals in the Balkans, whose ultimate victims will be the peoples of that region.

The Security Council is duty-bound and, with the rest of the international community, must endeavour to stem this tendency so as to avoid history repeating itself.

Here I should like to emphasize that our efforts to resolve the Kosovo question must be taken in the context of the situation in the entire region. The political situation in Macedonia is very unsettling. The situations in Kosovo and in Macedonia are closely interrelated, and they will impact on each other. We hope that the Security Council will closely follow developments in the entire region.

The President: I thank the representative of China for the kind words he addressed to me.

Mr. Kuchinsky (Ukraine): Let me start with words of gratitude to the Bangladesh presidency and to Ambassador Chowdhury personally for the fruitful efforts in leading the Security Council mission to Kosovo and Belgrade. I am also grateful to Under-Secretary-General Jean-Marie Guéhenno for his comprehensive and very informative briefing.

Both reports — that of the Secretary-General and that of the Council mission — give us a clear picture of the situation on the ground. Thus I will briefly highlight our major comments.

Ukraine welcomes the progress made by the United Nations Interim Administration Mission in Kosovo (UNMIK) in implementing Security Council resolution 1244 (1999) in the two years since its establishment. We believe that the recent UNMIK efforts in pursuit of the goals of holding Kosovo-wide elections, implementing a constitutional framework and setting the stage for self-government and economic viability will lead to a more stable and secure Kosovo.

But the alley of trees planted by UNMIK will be a blind alley unless a security environment for the elections and the participation of all Kosovo communities, refugees and displaced persons, is ensured. The engagement and political presence of the Serb community is of utmost importance, and my delegation fully supports the recent statements of Yugoslav authorities encouraging Kosovo Serbs to register for elections.

As for interim institutions, we pay special tribute to the activities of the Interim Administrative Council and the Kosovo Transitional Council. The involvement of all communities in these structures is yet another vital element to further the democratic processes in the region, and we call upon UNMIK to redouble its efforts to promote this goal.

Without a doubt, the establishment of a new police and justice pillar of UNMIK, aimed at strengthening the fight against ethnic violence and crime, is commendable. The general criminality in Kosovo is one of the most dangerous security challenges, and we are encouraged by the robust measures UNMIK is taking to combat it and to bolster a legislative basis for prosecuting terrorism and organized crime.

My delegation is satisfied with the important work done by UNMIK in the area of media regulation and development. The establishment of an independent Radio Television Kosovo, and promising results in the field of media development in the minority communities do strengthen our positive impressions. At the same time, let me express our deep concerns about the reported expressions of support for extremism and terrorism by some Kosovo local press. We are confident that any public manifestations of inter-ethnic hatred and support for violence should not be tolerated.

May I quote the words of an important personality who said that

> "Men stumble over the truth from time to time, but most pick themselves up and hurry off as if nothing happened."

Upon the return of the Security Council mission from Kosovo, I quote these famous words by Sir Winston Churchill in order to pay particular attention to, in our view, a highly important question — whether or not the Council belongs to those who hurry off.

In fact, the truth is very difficult. After the two years that have passed since the adoption of resolution 1244 (1999), the security, inter-ethnic and humanitarian situation in Kosovo remains tense. We share the view that the level of violence and crime in the region, especially against ethnic communities, is unacceptably high. Moreover, a general increase in tensions in Mitrovica, Gnjilane and Pristina, as well as brutal attacks on individuals, vividly prove that the philosophy and practice of violence are still very much alive.

It is our strong conviction that the only way to change the psychology of war lies in the more intensified and concerted efforts of the Security Council, European Union, the North Atlantic Treaty Organization (NATO), the Yugoslav authorities and those Kosovo political leaders who really believe in a democratic, multi-ethnic Kosovo. We hope that the principal findings of the mission will encourage the Council to hurry in, in order to improve the situation in Kosovo.

We agree that there is need for a further coordinated approach, particularly provided by UNMIK, to overcome the dangerous challenges, including inadequate physical, social and economic security for the ethnic communities in Kosovo, alongside a lack of freedom of movement and equal access to public services.

My delegation is in favour of the mission's recommendation that a formal request should be sent to the Kosovo Force (KFOR) to regularly provide detailed information on the origin, type and quantity of weapons seized in the region. The work of the Security Council committee established by resolution 1160 (1998), should also be intensified. Let me also share our strong belief that UNMIK must continue and enhance its dialogue with the authorities of Federal Republic of Yugoslavia, ensuring the full implementation of 1244 (1999).

Concluding my remarks in a broader context, I would like to welcome the unilateral demobilization by ethnic Albanian armed groups in south-east Serbia and the peaceful completion of the return of Yugoslavia security forces to the ground safety zone. Ukraine highly appreciates this achievement, which was made possible by the European Union, the North Atlantic Alliance and the Yugoslav leadership.

We would also like to align ourselves with a position of the European Union declared at a recent summit in Goteborg, on recent developments in the former Yugoslav Republic of Macedonia, and to reaffirm our commitment to the sovereignty and territorial integrity of that country.

The President: I thank the representative of Ukraine for his kind words addressed to me.

Mr. Ryan (Ireland): Following our mission to Kosovo under your efficient leadership, Mr. President, and the most recent report of the Secretary-General, this meeting enables us to assess developments in Kosovo and to focus on the way forward. I am grateful to Under-Secretary-General Guéhenno for his comprehensive introductory comments.

As Ireland fully associates itself with the statement that will be delivered later by the Permanent Representative of Sweden on behalf of the European Union, I will highlight only a few issues of particularly pressing concern.

Despite the progress made, we see clearly the difficulties that remain in Kosovo, and we see clearly also the deep-rooted divisions between the different communities. As President Putin said to us last Sunday, the task assigned to Special Representative Haekkerup is "Herculean". However, we have no doubt that the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) will achieve their mandates to implement resolution 1244 (1999), and we support fully their work in this regard.

It is clear that the only possible future for all the people of Kosovo is a multi-ethnic society based firmly on respect for minority and human rights. As part of the Security Council mission to Kosovo, I urged the communities' representatives to develop the special courage to participate in the process towards achieving this. In so doing, I drew parallels between the Northern Ireland Good Friday Agreement and the Constitutional Framework in Kosovo — both of which provide for multi-ethnic structures, without prejudicing the character of an eventual, final constitutional status. Of course, both processes require courage, perseverance and generosity of spirit on all sides.

Ireland understands very well the profound concerns expressed by the Serbs about the security situation in Kosovo. Most of those who remain in the province live in ghettos. Their freedom of movement is severely restricted, and they exist in a climate of constant fear. We welcome the recent decision by the Special Representative to establish a new police and justice pillar, and the promulgation of three UNMIK regulations. It is essential to make further early, quantifiable progress in the security area, including regarding the illegal importation of and trafficking in weapons and the recovery of existing illegally held weapons. During the course of the mission, we told the ethnic Albanian representatives in the clearest terms that all terrorist activity must cease. We must sustain and reinforce that message so that they can be in no doubt whatever as to the refusal of the international community to countenance any form of extremism.

While we welcome the opening of the UNMIK office in Belgrade, and the various meetings between the Special Representative and President Koštunica, we believe that the Mission must liaise even more closely with the administration there, including on conditions which could lead to the return of refugees and internally displaced persons.

President Koštunica has already accepted the Constitutional Framework and has encouraged Serbs to register for the elections. It is now essential that he encourage them to vote. Like many Council members, I was impressed by the honesty and realism displayed by the President, Foreign Minister Svilanovic and Interior Minister Zivkovic, and I have no doubt that they will use their influence wisely and positively. In the interim, all parties must work to develop the essential components of a positive climate for Serb participation in the elections. Those components were discussed frankly with us by President Koštunica.

I agree strongly with Under-Secretary-General Guéhenno's earlier statement that Mitrovica plays a central role in the political dynamics of Kosovo as a whole. A comprehensive strategy which includes political, social and religious elements is essential to address the situation there. The parallel structures in northern Mitrovica must be removed. The economic situation and the high level of unemployment — which serve to fuel extremism — also need to be improved systematically and steadily, as they need to be elsewhere in Kosovo.

The lack of progress in relation to missing persons is clearly a source of great contention for both communities, for whom it is a cause of common suffering and disquiet. During the mission we delivered messages to the relevant parties about this and about the need to release remaining political detainees.

We believe the mission had a useful, practical effect in that it underlined the full support of the Security Council for UNMIK and KFOR; it sent strong and unambiguous messages to all sides; and it imparted an important signal from the Council as to the importance of the high priority of sustained contact and cooperation with Belgrade.

Mr. Doutriaux (France) (*spoke in French*): The Permanent Representative of Sweden will state the European Union's position later, and France of course endorses that position. I will simply make a few comments in my national capacity on points that we would like to stress.

As members of the Council all noted during the mission that you, Sir, led last week to Kosovo and Belgrade, it is absolutely essential that the political process currently under way in Kosovo continue. A continuation of the status quo is neither acceptable nor sustainable. In this regard, Mr. Haekkerup's promulgation of the Constitutional Framework for Provisional Self-Government, and the announcement that general elections would be held on 17 November, pursuant to resolution 1244 (1999), have opened up a political prospect that is essential to stability in Kosovo.

It is essential to prepare carefully for the elections so that they assist the democratic process in Kosovo, and so that all the communities, in particular the Kosovo Serbs, are able to participate. Everything must be done to ensure that every community — and, to begin with, the Serb community — is included. This is crucial to the future of Kosovo. It is up to the Kosovo Serbs to shoulder their responsibilities. It is in their interest and in the interest of other communities to participate in the elections and in the institutions of provisional self-government that will be set up. The provisions in the Constitutional Framework for the representation of minorities and the defence of their interests will enable them to exercise their rights and to play their rightful role in the future of Kosovo. We urge them to register and to vote.

In addition, I would like to voice our full support for the vigorous measures taken by Mr. Haekkerup to ensure law and order in Kosovo. The Special Representative's promulgation of a regulation on unauthorized border/boundary crossings and an anti-terrorism regulation — as urged by the Contact Group in particular — are steps in the right direction. The strengthening of border and boundary controls by the Kosovo Force (KFOR) is part of this effort. The Special Representative's establishment of the new police and justice pillar will make more effective the fight against organized-crime networks and the pursuit of extremists and will help suppress violence in Kosovo. This is why we strongly support the request for a new Assistant Secretary-General post to head this new pillar. More generally, the new structure must be urgently given both the financial and human resources it needs to discharge its mission.

Improving security for everyone, particularly minorities, is crucial, given the upcoming elections. Extremists should not expect any indulgence from us. Isolating them is in the interests of everybody. Everyone, including the members of the Albanian community, must strongly condemn violence and isolate extremists who remain in or around Kosovo.

In Mitrovica, in order to encourage coexistence of the communities, we must define and implement a comprehensive and lasting strategy including economic, political and security measures. I am glad that following the Security Council's visit to Kosovo, UNMIK stated that it intended to prepare such a strategy.

One recommendation in the report of the Council's mission relates to stepping up the dialogue between UNMIK and Belgrade. We wholeheartedly support this. We welcome President Koštunica's call to the Kosova Serb community to register for the general elections of 17 November, and we welcome the increase of contacts between Mr. Haekkerup and the Yugoslav authorities, as well as the official opening of the UNMIK office in Belgrade. The Special Representative has offered the Belgrade authorities proposals to encourage the organized return of displaced Serbs to Kosovo. This is a step in the right direction. We believe strongly that closer cooperation between the United Nations and the Federal Republic of Yugoslavia on matters of common concern will be helpful.

Mr. Mejdoub (Tunisia) (*spoke in French*): Allow me, Sir, first of all, to congratulate you once again for the manner in which you led the Council mission to

Kosovo and the Federal Republic of Yugoslavia to follow up on and assess development in the implementation of resolution 1244 (1999).

From the outset, I would like to say that this mission, like all those the Council has taken to the field, was a complete success because it was able to observe first hand the level of commitment of the various parties with regard to resolution 1244 (1999) and also of obstacles perceived by the parties in the implementation of the relevant provisions of the resolution.

The meetings of the mission with President Putin and President Koštunica were of particular importance because they enabled members of the Council to hold a fruitful exchange of views on the requirements of the particularly sensitive phase through which the entire subregion is currently passing. The meetings the mission held with the various Kosovar communities enabled those groups to express their concerns. They also enabled the Council members to convey to them a clear message to the effect that multi-ethnicity is a sine qua non for lasting peace, not only in Kosovo but in the entire subregion.

At this stage of my statement I would like to thank Mr. Jean-Marie Guéhenno, the Under-Secretary-General, for the excellent analysis that he has just presented to the Council on the report of the Secretary-General on Kosovo. The Tunisian delegation feels that there is no alternative in that country to tolerance and cohabitation. It goes without saying that establishing lasting confidence-building measures among the various communities is the foundation of a future multi-ethnic Kosovo. There are of course a number of both structural and circumstantial reasons that underlie the breach of trust and continue to fuel mistrust and mutual rejection. This, in my delegation's opinion, is a predicament to which an urgent remedy must be found, because any settlement of this question basically depends on the support by the parties of a shared vision of a common future.

In this context we are gratified that the United Nations Interim Administration Mission in Kosovo (UNMIK) has focused its activities in the field and among all the parties concerned on the basic prerequisite of coexistence among the various communities and has kept them closely channelled within the framework of resolution 1244 (1999). With the help and support of the Kosovo Force (KFOR) and the civilian police unit, UNMIK has achieved significant success in the implementation of its mandate.

The operation's present critical phase requires stronger political and financial support for UNMIK so that it can be sure of providing the follow-up to and implementation of resolution 1244 (1999), which in the opinion of my delegation remains the perfect instrument for the resolution of the Kosovo question.

Tunisia feels the time has come for the Kosovar parties themselves to undertake a direct and responsible dialogue on the many issues of contention that they raised in their meetings with the Security Council mission to the region. In this context it must be made quite clear that resolution 1244 (1999) is not negotiable, for it constitutes the international guarantee for a durable peace in Kosovo and among all Kosovars.

The recommendations in the mission's report are also unanimous messages that the Council is sending to all the parties concerned. The political process in Kosovo must indeed proceed in conformity with resolution 1244 (1999), and all the parties, in particular the Kosovo Serbs, must take an active part. Remaining on the sidelines will certainly not make it any easier for that community to assert its concerns about security and other issues.

The promulgation of the Constitutional Framework for Provisional Self-Government and the decision to hold elections throughout Kosovo on 17 November are two important stages that must be supported by all the parties concerned. We are gratified that President Koštunica has launched a pressing appeal to the Kosovo Serb community in Kosovo, calling on them to commit to the electoral process. We are convinced that it is only by supporting this process that the Serb community in Kosovo can assert its views and concerns and find its place in society.

The establishment of Pillar I by the Special Representative is an additional guarantee promoting justice and an end to impunity. Financial means are necessary for justice and the police system to continue to contribute to allaying fears and establishing security for all.

It is essential that the question of the return of the refugees and displaced persons be handled rapidly, preferably before the forthcoming elections. The same applies to persons who have disappeared or are in detention. Finding solutions to the humanitarian aspects of the question will promote reconciliation among the various communities in Kosovo.

The situation in Mitrovica demonstrates the breadth and depth of the gulf between the Albanian-speaking and Kosovo-Serb communities. Just as that city embodies that rift, and the paranoia and even distrust of what the international community is undertaking for Kosovo, so must the international partners in Kosovo maintain their efforts rapidly to re-establish trust between the main communities of the city and encourage interaction between them in the various spheres of social life.

The international programmes for the economic recovery of that iconic city can be seen as a tool for consolidating the interdependence of the two communities. The experiment begun in that context by the European Union has proven effective and should be stepped up. It has the merit of helping ethnic divisions to be healed through co-existence, which in turn will become a condition for the stability and prosperity of all ethnic groups. This will ultimately prove to Kosovars of all ethnicities that it is up to them and them alone to create the conditions to guarantee lasting reconciliation.

In conclusion, I wish to pay a ringing tribute to Mr. Hans Haekkerup for his commitment to the mission with which he has been entrusted. His outstanding leadership of UNMIK and his sense of restraint have made him a respected interlocutor of all Kosovo communities. My delegation also wishes to congratulate the Commander of KFOR and all the men and women who serve under him, as well as the civilian police elements of UNMIK, for their selflessness and devotion to the cause of peace.

The President: I thank the representative of Tunisia for his kind words addressed to the Bangladesh delegation.

Mr. Eldon (United Kingdom): We thank Under-Secretary-General Guéhenno for what I thought was an outstandingly thoughtful briefing this morning and one that we found very useful indeed.

As others have said, the representative of Sweden will speak later on this morning on behalf of the European Union, so I will keep my statement very brief and make only a few points that I would like to highlight.

The first is that the United Kingdom strongly endorses the findings of the Security Council following its mission to Kosovo. I think the mission's report is a very useful contribution and I hope it will be helpful to the wider membership as well.

Secondly, I should like to endorse the point that Under-Secretary-General Guéhenno made about the need for a clear message from the authorities in Belgrade to the Serb community about the importance of participation. It is in the interest of all communities in Kosovo to participate in the elections and in the structures being put together by the United Nations Interim Administration Mission in Kosovo (UNMIK) in order to secure their place in the shaping of Kosovo's future. I therefore think it vital that this message of encouragement should get across from Belgrade, particularly now that some progress is being made on the return of refugees.

A similar consideration applies to Mitrovica, where normalization would clearly be in the interest of all the people of the city. This, too, is an area where we would look to Belgrade to use its influence positively to help resolve the situation. I noted what Under-Secretary-General Guéhenno had to say about the importance of confidence-building measures and I take his point.

Finally, extremism and organized crime are at the heart of the problems in Kosovo and in the wider region. We fully support the work being carried out by UNMIK and the Kosovo Force to tackle these issues. It would be helpful to have a progress report from the Secretariat on funding for the new Pillar I, including funding for additional judges and prosecutors. It is crucial that sufficient resources be made available quickly and, as we have said before, the United Kingdom stands ready to provide candidates for the posts of international judges and prosecutors.

Mr. Neewoor (Mauritius): We consider today's public meeting on Kosovo to be most appropriate, following last weekend's visit of the Security Council mission to the area. We thank you, Sir, for organizing this important meeting. We also thank Under-Secretary-General Guéhenno for his briefing this morning. As a member of the mission to Kosovo, I wish to place on record my warm and sincere appreciation and thanks to you, Sir, for the quality of leadership you provided to the mission, which was the first ever to include all 15 Security Council members.

The report of the mission in document S/2001/565 broadly sums up the important work accomplished by the Security Council mission during the brief three-day visit to Kosovo and Belgrade. The visit not only provided us with the opportunity to see first hand the actual situation on the ground in Kosovo, but also gave us clearer insight into the deep-rooted issues that have bedevilled the territory and its people. We have come back better informed as a result of the discussions we had with the various parties, including the Special Representative of the Secretary-General, Mr. Hans Haekkerup; officials of the United Nations Interim Administration Mission in Kosovo (UNMIK); the Commander of the Kosovo Force (KFOR); members of the Interim Administration; representatives of the Albanian and Serb communities; civil society; and, in Belgrade, with President Kostunica and members of his Cabinet. We hope to be able to contribute more substantially to the efforts of the Security Council and the Secretary-General to restore peace and stability in the area.

The Kosovo crisis has been a real human tragedy of our time. The lives of hundreds of thousands of innocent people have been completely shattered. Although the conflict is largely over, the people of Kosovo continue to live in a situation of bitter ethnic divide, mutual hatred and fear. The minorities, both Serbs and Albanians in many communities, remain confined to their homes due to fear. Employment opportunities are extremely scarce, depriving people of the means to earn their livelihood, and hundreds of thousands of people are living outside their normal homes, either as internally displaced persons or as refugees. Worst of all, children, having lived through the trauma of death and devastation in the civil conflict, are unable to attend school unless accompanied by KFOR soldiers.

In such difficult circumstances, UNMIK and KFOR are valiantly engaged in maintaining peace and security and they deserve to be not only commended, but also fully supported by all of us in all that they are doing in Kosovo to restore confidence among the people, to engage them in a political process, in accordance with Security Council resolution 1244 (1999), and to rebuild a society based on multi-ethnicity and the rule of law and justice for all. This task is as daunting as the situation is complex. The immediate and most important challenge before UNMIK is to organize elections with popular participation for the administration of Kosovo as an autonomous region within the sovereignty of the Federal Republic of Yugoslavia. The election has to be inclusive in order to have the credibility required in today's difficult situation in Kosovo.

In this regard, we have two important concerns. First, the security situation must improve in order to facilitate the full participation of all eligible Kosovars — Albanians, Serbs and other minorities — in the process. Secondly, every effort must be made to ensure that voters, in particular Serb voters, both inside and outside Kosovo, have the opportunity to register to vote without any hindrance. The other important challenge before UNMIK is to initiate the process of economic reconstruction in Kosovo. While some work is already being done to rebuild infrastructures, it is necessary to start a number of small projects which can provide employment to job-seekers from both the majority and the minority communities. We appeal to the international community to extend all possible assistance for the economic reconstruction of Kosovo.

Our visit to Belgrade and the discussions we had there with President Koštunica, the Minister of Interior and the Minister for Foreign Affairs have convinced us that Yugoslavia is not only prepared to fully cooperate with the Security Council and UNMIK, but that it is already doing so, for example, by officially encouraging the Serbs to register to vote, in spite of its serious reservations on certain provisions of the recently adopted legal framework for Kosovo. We appreciate this positive attitude of Yugoslavia.

We call upon all the people of Kosovo – Albanians and Serbs alike — to shed extremism, which has already brought so much misfortune and suffering to them. The future of Kosovo lies in the multi-ethnic coexistence of all communities, and that should be the goal they must work for together. Indeed, almost all nations of the world, including mine, Mauritius, have multi-ethnic societies that have learned to live in harmony. There is no reason why Kosovars should not be able to do the same.

The President: I thank the representative of Mauritius for his kind words addressed to me.

Mr. Touré (Mali) (*spoke in French*): First of all, I would like to congratulate Ambassador Chowdhury of Bangladesh, President of the Security Council, on his the excellent leadership during our visit to Kosovo and Belgrade. I would like to thank the Secretary-General for his report of 7 June 2001 on the United Nations Interim Administration Mission in Kosovo (UNMIK), and Mr. Jean-Marie Guéhenno, Under-Secretary-General, for his very detailed introduction of the report.

This morning's open meeting offers an opportunity to reiterate Mali's full support for Mr. Hans Haekkerup, Special Representative of the Secretary-General and head of UNMIK, for all of his team and for all of the international personnel who have been working tirelessly for two years now to attain the goals of peace, security and sustainable development in Kosovo.

Despite the many political, economic and security problems facing UNMIK, we must recognize that considerable progress has been made in the implementation of its mandate. While we welcome this tangible progress, my delegation strongly supports the sustained efforts of the Special Representative of the Secretary-General and the Kosovo Force (KFOR) Commander in implementing resolution 1244 (1999) and thus to establish democratic and multi-ethnic institutions in Kosovo.

In view of the information given us by Mr. Guéhenno and what I was able to see and hear during our very important visit to Kosovo, I shall focus on the following few highlights. First of all, at the political level, my delegation is grateful to Mr. Haekkerup and all UNMIK personnel for the promulgation of the Constitutional Framework for Provisional Self-Government in Kosovo and the declaration that elections would be held on 17 November this year.

It is true, however, that during our visit we were able to see that the Constitutional Framework was not the subject of consensus among the political actors in Kosovo. Nevertheless, we think that the Constitutional Framework, which in no way prejudges a final settlement for Kosovo, provides the people of Kosovo with an opportunity to manage their daily life and encourages moderates to advance the political process, while keeping the extremists on the margins. Because it is the outcome of cooperation among UNMIK, the Joint Working Group, the political leaders of Kosovo, international experts and the international community, my delegation calls on all inhabitants of Kosovo to participate actively in the structures already established and in the future government of the territory.

Regarding the Kosovo-wide elections to be held on 17 November, my delegation believes that the electoral process can strengthen the democratic process in Kosovo and stability in the region. Thus, we urge all the peoples of Kosovo to participate massively in the elections, which are essential to combat intransigent extremism and to encourage all kinds of moderates to take a decisive role in the affairs of the territory. Because the wholehearted participation of all communities is crucial to the election process, my delegation supports UNMIK's initiatives to establish a multi-ethnic society in Kosovo. We believe that the full and responsible participation of all sectors of Kosovar society in drawing up a reliable electoral roll can help ensure the free participation of all ethnic groups in the elections. We must do everything possible to ensure that the vote is held in conditions of security and that the return and participation of refugees and displaced persons is guaranteed. All communities, particularly Kosovar Serbs, must participate in the elections and the institutions of provisional self-government to be established. This is a major challenge that the international community, UNMIK and KFOR must take up.

Secondly, in the area of security, my delegation is deeply concerned over continuing ethnic and political violence and organized crime in Kosovo. Without any doubt, violence against minorities in the province is the greatest obstacle to achieving the international community's goals of peace, democracy and prosperity in Kosovo. During our visit to Kosovo, this kind of blind violence as cited time and again as the main obstacle to the return of refugees and displaced persons and their participation in the democratic structures in Kosovo. My delegation welcomes the Special Representative's establishment of Pillar I, and legislation against organized crime, illegal weapons possession and terrorism. We hope that these measures will lead to considerable improvements in security conditions in Kosovo. We also support specific measures taken by UNMIK and KFOR on monitoring boundaries in Kosovo.

Thirdly, at the economic level, we are still concerned over the very high unemployment rate in Kosovo and the disastrous state of the economy. Yet we welcome the establishment of tax collection points along Kosovo's borders, where duties are levied on some goods. Economic development is a major element of stability, and my delegation recommends that the international community make available additional funds for the Village Economic Rehabilitation Programme.

Fourthly, a source of concern for my delegation in the humanitarian sphere is the situation of the thousands of Albanian-speaking refugees from the former Yugoslav Republic of Macedonia who have been in Kosovo since 3 May because of clashes between Macedonian forces and Albanian extremists. The international community must come to their assistance.

The question of individuals who have disappeared and of detainees remains crucial for my delegation. This continues to be a major obstacle to reconciliation among the communities. We encourage UNMIK to make further progress in this key area, and we urge the Federal Republic of Yugoslavia authorities to release those who are still languishing in Serbian prisons.

Fifthly, my delegation welcomes the close contacts between the Government of the Federal Republic of Yugoslavia and UNMIK and KFOR. The opening of the UNMIK Office in Belgrade will foster communication and cooperation between UNMIK and the Yugoslav authorities. We thank the Yugoslav authorities for their willingness and determination to cooperate with UNMIK to improve inter-communal relations, in Mitrovica in particular, and throughout Kosovo. The cooperation of the Federal Republic of Yugoslavia authorities is crucial if minorities, especially Serbs, are to participate in the 17 November elections.

Finally, my delegation understands the immensity of the task facing UNMIK, and we pay tribute to Mr. Hans Haekkerup for his steady hand as leader of UNMIK; we thank all the local and international personnel of UNMIK and of KFOR for their determination and for their commitment to implementing resolution 1244 (1999). We call on the international community to step up its efforts to help UNMIK at this crucial stage of its involvement in Kosovo to enable it to attain its objectives: peace, security and sustainable development.

The President: I thank the representative of Mali for the kind words he addressed to me.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): My thanks go to the Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno, for his presentation. The varied support of Mr. Guéhenno's department, including the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2001/565), made a most significant contribution to the success of the Security Council's mission to the region.

We share the voiced in the report of the Secretary-General that effective law and order is a high priority in UNMIK's work. We are pleased to see that the police and justice pillar of the Mission has been erected. With the cooperation of the Kosovo Force (KFOR), this will enhance UNMIK's effectiveness. We endorse the planned appointment of a deputy special representative of the Secretary-General to head that structure.

Open meetings on Security Council missions are very useful for us, enabling us to join with all other States Members of the United Nations in assessing the fulfilment of mandates and in hearing first-hand views of the consequences of conflict.

I thank Ambassador Chowdhury and congratulate him on the excellent way in which he led the mission. Thanks to his dedication, the mission attained its goals in record time. The 15 members of the Security Council reviewed compliance with resolution 1244 (1999) and, with the various actors, assessed at close hand UNMIK's achievements and the challenges facing it, including through meetings with President Putin and with President Kostunica. The breadth of our meetings enhanced our understanding of the conflict and gave us a better perspective for taking the decisions that the Council will have to adopt in the future.

Let me make a few specific comments about the mission. I want to highlight the work of UNMIK and to acknowledge KFOR's valuable contribution. The responsibility and commitment shown by the Special Representative of the Secretary-General, Mr. Hans Haekkerup, and his team as they work to implement resolution 1244 (1999) are admirable and deserve our full support. UNMIK's achievements over the past two years are obvious, and constitute a realistic option for attaining the coexistence that is necessary in a multi-ethnic society.

Considerable challenges face UNMIK and the international community. It is necessary, first of all, to guarantee the participation of all communities in the 17 November elections. We understand the concerns voiced by Kosovo Serbs, both those remaining in Kosovo and those who have taken refuge abroad, and we consider that a priority for UNMIK and KFOR in the coming months is to put in place security guarantees that will provide that community with freedom of movement within Kosovo and that will permit the return of refugees and displaced persons. In any event, they must be afforded full participation in the electoral process.

We believe that the problem of detainees and of individuals who have disappeared demands priority attention. Its resolution is among the key elements in building trust among the parties.

Another of the greatest challenges for the future is the problem of the city of Mitrovica. Here we need full cooperation from the Belgrade Government. Necessary prudence must not stop us from resolving the present social fragmentation and hostility. That city is a mirror of all the problems of Kosovo. What happens there will send a clear signal about the possible future of the rest of Kosovo. UNMIK must continuously work with KFOR to ensure that decisions are coordinated and that they do not yield conflicting effects. We call on the Belgrade Government to take a more active and constructive position in finding solutions for Mitrovica.

It is urgent that the population of Kosovo speedily and fully understand the key role they must play in their own present and future. In other words, "kosovarization" must take place, to use a neologism spawned by this conflict. As the findings of the mission make clear, "the status quo is unacceptable" (*S/2001/600, para. 30*). The responsibility of the international community is limited, but it will be even more limited without the support and cooperation of the population. We therefore appeal to all Kosovars to participate in the activities of the international community, to reject all violence, and to participate in the democratic process, especially the forthcoming elections, which will help create the conditions necessary for reconciliation, stability and progress in the region.

The attainment of those objectives will be enhanced by improved relations and dialogue between UNMIK and the Federal Republic of Yugoslavia, which the Security Council must continue to promote.

The President: I thank the representative of Colombia for the kind words he addressed to me.

Miss Durrant (Jamaica): Let me thank you, Mr. President, for convening this open meeting to discuss the report of the Security Council mission to Kosovo and Belgrade, which took place from 16 to 18 June 2001. I wish also to thank the Under-Secretary-General for Peacekeeping Operations, Mr. Guéhenno, for his introduction of the report of the Secretary-General contained in document S/2001/565, and to say how much we appreciated that report, because it provided a very useful input during my delegation's preparations for the Security Council mission.

I wish also to express my personal appreciation to you, Mr. President, for the impressive and effective leadership you provided for our short but intense mission as we sought to fulfil the terms of reference provided by the Council.

Coming just more than a year after the first Security Council mission to Kosovo, the recent mission provided us with an opportunity to assess the critical role played by the United Nations Interim Administration Mission in Kosovo (UNMIK) over the past two years in promoting peace, reconciliation and stability, and in creating viable democratic institutions.

As the report indicates, the mission, in its meeting with local leaders, conveyed a strong message on the need to eschew violence and extremism and to focus on inter-ethnic reconciliation and inclusion.

Our visit to Belgrade also provided an opportunity to engage with the authorities of the Federal Republic of Yugoslavia, to listen to their concerns and to obtain their support for progress towards a multi-ethnic Kosovo.

As my delegation entirely supports the findings of the mission, I will only make brief comments on some issues which are of particular concern. These include the volatile security situation, efforts to enhance law enforcement, the return of refugees and the issue of missing persons and of detainees.

As we were able to witness first hand, there has been considerable progress in the area of peace and security. While the United Nations Interim Administration Mission in Kosovo (UNMIK) has tried to develop a comprehensive strategy aimed at improving the quality of life for all communities, the security situation for Kosovo's minority communities, particularly the Kosovo Serbs, remains of great concern. This is particularly true of Mitrovica. Unless the security situation of Kosovo's minority communities improves, peace and reconciliation are doomed to fail, and this will, in turn, reduce the possibility of the return to their homes of substantial numbers of refugees and displaced persons and our ability to provide sustained economic growth and sustainable development for the people of Kosovo.

We were, therefore, pleased that the initiative recently undertaken by UNMIK to establish Pillar I to improve the coordination of police and justice matters is having success. In this regard, we welcome the promulgation of regulations pertaining to illegal border crossings and to the possession of illegal weapons.

We wish to emphasize the appeal made by UNMIK for an increase in the number of international judges and prosecutors and for additional funds to increase detention capacity. My delegation views these as crucial to improving the law and order situation, especially in the light of comments that perpetrators may have had to be released from detention due to the lack of proper detention facilities.

I wish to take this opportunity as the Chairperson of the Security Council Committee established pursuant to resolution 1160 (1998) to draw attention to paragraphs 25 and 33 of the report (S/2001/600) and their importance to the process of maintaining law and order in Kosovo. These paragraphs highlight the discussions held between members of the mission and the Kosovo Force (KFOR) on the strengthening and monitoring of the arms embargo imposed pursuant to resolution 1160 (1998).

We were pleased to have had very fruitful discussions and we wish to thank the Commander of KFOR, Lieutenant General Thorstein Skiaker for his cooperation. We particularly appreciate the promise of detailed information on the origin, type and quantity of weapons seized.

We were also informed by the UNMIK Police Commander about the quantity of weapons being seized and the attempts being made, some successfully, to disarm the population where appropriate.

My delegation was pleased with the political progress being made on the preparations for elections to be held in November. We wish to reiterate the importance we attach to close collaboration between UNMIK and the authorities in Belgrade, particularly in regard to the registration and the participation of minority communities in the electoral process itself. For us, it is important that all communities participate in the governance of Kosovo, as only in this way will we be able to provide full participation in the democratic institutions.

One issue on which all communities again, pleaded for assistance, as they did last year, is missing persons. We believe that further progress can now be made on this issue with the use of DNA in the forensic work being carried out by UNMIK.

We also wish to encourage UNMIK to continue to promote conditions conducive to the return of refugees and displaced persons and to commend them for the progress already made in this area.

The report indicates that one of the greatest challenges is the promotion of multi-ethnicity. We believe that there is no simple or speedy solution to this problem. With the elections approaching, these issues become even more important, and we unreservedly support the emphasis in the report on the need for multi-ethnic initiatives in the social, economic and religious areas to start building confidence between the communities.

At your initiative, Mr. President, a representative group of Kosovo women's non-governmental organizations met with members of mission, and during this meeting a number of issues of concern were raised. The representatives underlined the need to involve women in peace negotiations and in the political decision-making process in accordance with resolution 1325 (2000). The importance of the international community's support for the economic empowerment of women, tackling discrimination and providing employment and equal opportunities, were identified as equally important. Emphasis was placed on the need for regular dialogue and enhanced cooperation between local women's groups and UNMIK.

We are grateful for the opportunity which, at your request, Mr. President, was provided to meet with the representatives of the non-governmental organizations because of the importance that we attach to civil society and the role that they play in the reconciliation efforts.

On the surface there has been improvement in Kosovo's economic situation. We saw reconstruction; we saw improved agricultural activity; we saw economic activity taking place throughout Pristina.

Nevertheless, the economic situation continues to be of great concern, with high levels of unemployment, particularly among the youth, and the need to resolve issues relating to property rights, which could provide an enabling environment conducive to attracting foreign investment.

It is important that these and other issues be addressed, as these problems can influence the return of refugees and displaced persons who are reluctant to return where there is no viable source of income.

In conclusion, I wish to take this opportunity to express my delegation's appreciation to Mr. Hans Haekkerup, the Secretary-General's Special Representative, and to his staff, to the KFOR Commander and his staff, and to the men and women of UNMIK for the tremendous assistance provided to the mission during its stay in Kosovo.

The President: I thank the representative of Jamaica for the kind words addressed to me.

Mr. Kolby (Norway): I, too, would like to thank Under-Secretary—General Guéhenno for his briefing and for the Secretary-General's report. I would also like to thank you, Mr. President, for leading our mission efficiently and for presenting our report. We found our meetings useful and important, not least our interactions with President Kostunica and President Putin.

For two years now, the United Nations Interim Administration Mission in Kosovo (UNMIK) has made good progress in implementing resolution 1244 (1999). Norway commends UNMIK, led by Hans Haekkerup, and the Kosovo Force (KFOR), led by Thorstein Skiaker, for their efforts, together with our partners in the Organization for Security and Cooperation in Europe and the European Union pillars, to create conditions for a multi-ethnic democratic Kosovo. Our overall aim must be to promote peace and stability and to stop disintegration and extremism in the Balkan region. And much remains to be done.

As a major provider of personnel and assistance to Kosovo, Norway has a strong interest in the successful implementation of self-government in Kosovo, based on the Constitutional Framework and resolution 1244 (1999). The single most important challenge is the security situation. As made clear in the Secretary-General's report and during our mission, minority communities, in particular Kosovo Serbs, continue to suffer from ethnic violence and major crimes. Neither do extremists shun violence against fellow ethnic Albanians to advance political or criminal interests.

We therefore firmly support the Special Representative of the Secretary-General's initiatives to improve law and order, including through a new police and justice pillar and three new regulations directed against extremists. Reports from Kosovo indicate that the weapons amnesty programme has been a success.

Ongoing programmes providing for assessment and destruction of small-arms stockpiles should be expanded to other parts of the region. Norway welcomes the endeavours of the Stability Pact for South Eastern Europe in this regard. A main concern is the trafficking in such weapons. Cross-border police cooperation must be enhanced. The Macedonian crisis shows the need for a comprehensive approach. Plans for regional police training with a focus on all kinds of trafficking are being developed in the context of the Stability Pact's police cooperation and training initiative.

We welcome the willingness of the Federal Republic of Yugoslavia Government to cooperate with the UNMIK police in addressing illegal trafficking, as expressed to the Council mission. We look forward to hearing from UNMIK about the follow-up and results.

It is clear to us that closer cooperation with Belgrade is needed on a range of issues facing UNMIK in the time leading up to elections. We count on — and expect — Serb leaders in Belgrade and Kosovo to support UNMIK's endeavours to implement resolution 1244 (1999). Norway welcomes the positive attitude of President Koštunica regarding Kosovo Serb registration. Closer cooperation between UNMIK and Belgrade is also crucial to resolve the fate of missing persons of all communities, as well as the release of remaining political and other prisoners. Judging by our constructive meetings in Belgrade, we believe that UNMIK can work with Yugoslav authorities to achieve progress in the five areas highlighted by President Koštunica, in order to encourage full Kosovo Serb participation in the election process.

We expect Kosovar Albanian leaders to shoulder their share of the responsibility for improving the security situation so that a real process of return of displaced persons can commence.

We will do our share and fulfil our commitments to Kosovo. But this is a two-way street. All involved must do their part. Creating security and conditions for return cannot be left to the United Nations and the Kosovo Force (KFOR) alone. It is up to Kosovar leaders to demonstrate in deeds the political will to create a multi-ethnic society that is ready for meaningful self-rule in accordance with resolution 1244 (1999). We did not support a community which had suffered repression and violence only to see members of that same community inflict suffering on others. Those who fought for their own rights must now stand up for the equal rights of others.

There are obviously mutual links between, on the one hand, Kosovo Serb security and the return of Kosovo Serbs, and, on the other hand, Kosovo Serbs' participation in the interim institutions. Therefore, Belgrade leaders, for their part, should further promote Serbs' interests by helping UNMIK identify and influence interlocutors committed to the integration of Serbs in Kosovo. This is not least the case in Mitrovica, which is a major challenge. Norway supports the comprehensive and balanced strategy outlined by the Special Representative of the Secretary-General during our visit: a persistent political process, involving close cooperation with Belgrade, to replace parallel structures in Mitrovica with confidence-building measures and security provided by KFOR, UNMIK police and the Kosovo Police Service, with Serb participation. This must be carefully conducted, and another exodus must be avoided by ensuring that Mitrovica Serbs have at least the same sense of security as they have now.

We welcome KFOR's efforts to deal with the regional security situation, as outlined by the KFOR Commander. This includes the increased efforts to prevent ethnic Albanian extremist activities across the Macedonian border, as well as KFOR's contribution to the positive developments in southern Serbia. The international community's successful cooperation with Belgrade in the Presevo valley shows that more can be achieved through political means and confidence-building measures than by the use of force.

The President: I thank the representative of Norway for his kind words addressed to me.

I will now yield and, instead of making a statement in my national capacity, give the floor to the countries that have been invited under rule 37. First on that list is the representative of Sweden. I invite him to take a seat at the Council table and to make his statement.

Mr. Schori (Sweden): I have the honour to speak on behalf of the European Union (EU). The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as the European Free Trade Association countries members of the European Economic Area, Iceland and Liechtenstein, align themselves with this statement.

The EU would like to thank the presidency of the Security Council for the report on the Security Council mission on the implementation of resolution 1244 (1999). We also thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK), dated 7 June, and Under-Secretary-General Guéhenno for his briefing here today.

The European Union reiterates its strong support for the Special Representative of the Secretary-General, Mr. Hans Haekkerup, in his efforts to ensure the full implementation of Security Council resolution 1244 (1999). We welcome the promulgation by Hans Haekkerup of the Constitutional Framework for Provisional Self-Government in Kosovo and the announcement of Kosovo-wide elections to be held on 17 November of this year. The Constitutional Framework is a landmark step in the implementation of resolution 1244 (1999) and constitutes a decisive move towards the establishment of meaningful and democratic self-government in Kosovo. We urge all individuals and communities in Kosovo to participate actively and constructively in the election process and in the future provisional institutions of self-government. The EU welcomes the Federal Republic of Yugoslavia Government's support for the registration of Kosovo Serbs, and calls upon Belgrade to continue to cooperate with UNMIK in order to ensure their participation in the elections.

The EU supports the mission's findings that there is a need for intensified efforts on issues such as increased security for all communities, in particular for the Kosovo Serbs; freedom of movement; the fate of missing persons; and the return of refugees and displaced persons. We welcome the efforts made by

UNMIK and the Kosovo Force (KFOR) in this regard and agree with the Security Council mission's assessment that there is a need for continued and enhanced dialogue between UNMIK and Belgrade in order to ensure the full implementation of resolution 1244 (1999).

Both the report of Security Council mission and the report of the Secretary-General point to the fact that the level of violence and crime in Kosovo, in particular that directed against ethnic minorities, remains unacceptably high. Concerted efforts to enhance the overall security situation in Kosovo are of vital importance to the stability of the province and the entire region. We support recent measures taken by UNMIK and KFOR to counter illegal border crossings and the illegal possession of arms, as well as the adoption of a regulation to help combat terrorism in Kosovo. The EU welcomes the timely establishment of a new UNMIK pillar intended to provide greater focus and coordination in the field of police, security and justice. We are convinced that the new pillar represents an important instrument in combating violence and crime in Kosovo, and look forward to a comprehensive UNMIK strategy for the justice sector. The EU also supports efforts to develop a strategy to defuse tensions and resolve the complex situation in northern Kosovo, in particular in Mitrovica.

The EU welcomes the unilateral demobilization by ethnic Albanian armed groups in south-east Serbia and the peaceful completion of the return of Yugoslav security forces to the ground safety zone, and in this context expresses its appreciation for the constructive efforts of the Federal Republic of Yugoslavia Government. The European Union has worked closely with other international organizations, in particular the North Atlantic Treaty Organization (NATO), to bring the parties together and reach a peaceful solution to the crisis. The EU encourages the Belgrade authorities and ethnic Albanian representatives to make rapid progress on the implementation of necessary confidence-building measures, including the establishment of a multi-ethnic police force, the return of all displaced persons and the integration of the ethnic Albanian population into local political, economic and social structures. The European Union Monitoring Mission will retain its presence in the area in order to contribute to this process.

The EU remains deeply concerned about the serious security situation in the former Yugoslav Republic of Macedonia. At its recent summit in Gothenburg, the European Council reaffirmed its strong attachment to the sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia and the need for a political solution to the crisis. It is important that KFOR maintain a robust border control and take a firm stance against ethnic Albanian extremists operating from Kosovo. The EU calls on ethnic Albanian leaders in Kosovo and political leaders in Albania to use their influence to isolate extremists and prevent the spread of violence, which constitutes a threat to the stability of the whole region.

The European Union fully supports the intensified dialogue on inter-ethnic relations launched by President Trajkovski, and stands ready to engage further in facilitation of the political dialogue. To this end, the EU has decided to appoint a representative, resident in Skopje, who will act under the authority of the High Representative, Mr. Javier Solana, who is now in Skopje himself.

The EU is firmly committed to continuing its efforts, in close cooperation with all main partners and organizations, to promote stability, democratic development and prosperity in the region.

The President: I now give the floor to the representative of the Federal Republic of Yugoslavia.

Mr. Šahović (Yugoslavia): I would like to thank you, personally, Mr. President, and all members of the Council for your efforts to bring about the mission whose results we are discussing today. I am also grateful to Under-Secretary-General Guéhenno for his analysis and presentation.

We view the discussions that the mission had in Yugoslavia, in Kosovo and Metohija and in Belgrade as very useful. The visit provided an opportunity for all members of the Council to acquire first-hand information on the situation on the ground and assess challenges that the United Nations Interim Administration Mission in Kosovo (UNMIK) is facing in the very complex period that is ahead of us. This kind of active involvement of the Council is, we believe, important and very helpful for the process of the implementation of Security Council resolution 1244 (1999).

Another equally significant aspect of the mission is the Council's visit to Belgrade. The exchange of views with President Koštunica, Minister Svilanović and other members of our Government was in our assessment detailed, open and constructive. Yugoslavia is committed to continuing to cooperate with the international community, particularly with the Security Council, UNMIK and the Kosovo Force (KFOR) in resolving difficult problems in Kosovo and Metohija.

We support the position of the Security Council mission that the political process in Kosovo and Metohija has to be further promoted in accordance with resolution 1244 (1999). That indeed requires substantial additional efforts by UNMIK, KFOR and UNMIK police, as well as the full attention of the Security Council. We also agree with the assessment that basic obstacles to the creation of a multi-ethnic Kosovo and Metohija are the lack of physical, social and economic security for the population, as well as the lack of freedom of movement and equal access to public services. Furthermore, we recognize the importance of the establishment of the new Pillar I and UNMIK's recent measures to combat organized crime, illegal weapons possession and terrorism.

Yugoslavia has repeatedly emphasized that it supports in principle the elections in Kosovo and Metohija and the creation of interim institutions in accordance with resolution 1244 (1999), especially its provision regarding respect for the sovereignty and territorial integrity of Yugoslavia. Therefore, we have called on the Serbian community to take part in the registration process for the election.

However, whether Kosovo Serbs will actually go to the polls will depend on whether the conditions for free and fair elections really exist at that time. Unfortunately, so far these conditions have not been created: there is no minimum physical safety, particularly for the non-Albanian population; the remaining Serbs in Kosovo and Metohija cannot go from one place to another without an armed escort. In such conditions, we find it difficult to expect to even hold an election campaign, let alone vote.

It is difficult to contend that participating in an election is a precondition for a life in safety. On the other hand, in the absence of safety, there are no conditions for democratic elections. Minority protection is not contingent upon the will of minorities to take part in self-governing institutions, but their safety will enable their meaningful participation in these institutions.

As the situation stands now, Kosovo and Metohija is on the way to being totally transformed into a mono-ethnic community. Two thirds of the Serb population and many members of other ethnic communities have left for other parts of the country. Pristina has been practically cleansed: of its 40,000 Serbs only 200 have remained. The process of the return of displaced persons to Kosovo and Metohija has not yet started. Actually, flight out of the province continues on a daily basis. The return of internally displaced persons should begin immediately, at least to certain areas of Kosovo and Metohija where that can be achieved in safety. Such a step would be completely in line with resolution 1244 (1999), which calls for the return of all forcibly displaced persons without any additional or special conditions.

I will not elaborate on the issue of the Constitutional Framework. Our position is well known, and it was summarized in the letter I addressed to you, Mr. President, earlier this month. It is our view that relevant legislation should be enacted to improve the content of the Framework and that additional confidence-building measures be put in place to offer the Serbs and other non-Albanians protection so that they can live side by side with others in the province.

It is necessary to ensure institutional links between Kosovo Serbs and the authorities in Belgrade. In this context, we call for the establishment of cooperation in the fields of education, public health and in particular the protection of cultural heritage. Furthermore, we believe that tax collection points should be set up farther inside the territory of Kosovo and Metohija, since their maintenance at the administrative boundary with Serbia would create an impression that Kosovo and Metohija is actually an independent State.

Finally, we are of the view that taking into account the good and useful cooperation existing between the Yugoslav Army, the Yugoslav Ministry of Interior and KFOR in southern Serbia, there is no reason why similar cooperation concerning Kosovo and Metohija should not be ensured. I should also like to reiterate once again my Government's readiness and commitment to further intensify cooperation with UNMIK. In this connection, a status-of-mission agreement regulating Federal Republic of Yugoslavia-UNMIK cooperation is urgently required. It would significantly facilitate cooperation and would be in line with established United Nations practice for missions of a similar nature.

In conclusion, I would like to emphasize the willingness of Yugoslavia to do everything in its power to contribute to the improvement of the situation in Kosovo and Metohija for the benefit of all its inhabitants.

The President: The next speaker is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Nesho (Albania): I would like to congratulate you, Sir, on your excellent leadership and the strong commitment that you have shown as the President of the Security Council this month. The Albanian Government highly appreciates the two missions of the Security Council to Kosovo headed by you, which have been successful and have assisted in the policy of the international community for peace and stability in the region.

On 12 June 1999, the first international peacekeeping troops of the Kosovo Force (KFOR) were deployed in Kosovo, together with the United Nations Interim Administration Mission in Kosovo (UNMIK). Since then, the Albanian Government has followed with great attention and interest the developments in Kosovo. We think that there has been a lot of progress in Kosovo, which is reflected in the promotion of the democratization process, the return of refugees, improved security, economic reconstruction and other equally important achievements. On this occasion, we would like to commend the great work of UNMIK and KFOR and stand ready to support it and to make our own contribution to this process.

The holding of the first-ever free municipal elections in the history of Kosovo was a very successful undertaking of the international community and the political forces of Kosovo. Those elections testified to the fact that the Albanians of Kosovo are fully determined to embrace democratic values and standards. With these elections, Kosovo undertook an important step towards building institutions and the democratic process.

The Albanian Government fully supports the holding of general elections in Kosovo. These elections will create the central institutions and increase the responsibility of the Kosovar Albanians in the process of self-governance. The United Nations and the political forces in Kosovo should work together in preparing the appropriate steps which will contribute to building confidence and the achievement of a multi-ethnic Kosovo.

First, efforts should be stepped up to resolve the issue of missing persons and the release of all prisoners, a problem that continues to be an impeding factor against the process of reconciliation among the ethnic groups in Kosovo.

Secondly, the international community and the Belgrade regime should try to influence the Serb community in Mitrovica to abandon the policy of cantonization and the isolation of Mitrovica. Security Council resolution 1244 (1999) aims at creating a free and democratic society in Kosovo in which all members are free and equal. The solution to the problem of Mitrovica will not only eradicate a source of tension and conflict, but also serve to create a feeling of responsibility among the Albanians of Kosovo for respecting all of the democratic rules and for living in equal co-existence with the other ethnic groups. We welcome the recommendation of the Security Council mission regarding the situation in Mitrovica on the need for multi-ethnic initiatives in the social, economic and religious areas with the objective of rebuilding confidence between the communities, in particular in the field of economic development.

Thirdly, in order to achieve the necessary confidence and reconciliation in Kosovo, the Albanians should work further to respect the rights of the minorities. At the same time, the minorities, in particular the Serb minority, should understand that only by participating in the process of democratic institution-building and in the upcoming general elections will they contribute to the goal of a multi-ethnic Kosovo.

We think that there can be no discussion on the final status of Kosovo without having in place the central institutions, including the Government and the Assembly of Kosovo. Only these bodies will have the legitimate right to negotiate with the international community on this very important issue. The will of the people of Kosovo should be respected as a fundamental element of the right to self-determination.

We support the continued presence of UNMIK and KFOR in Kosovo, which are guarantees for preserving peace and stability there. Evaluating the situation and the great efforts of the United Nations to achieve its goals, we believe it important that this Organization remain in Kosovo as a guarantor of the process in the future. As a neighbouring country, Albania would like to establish broad cooperation with Kosovo with the objective of Kosovo's becoming a model for the entire region. It is in this context that the Albanian Government has proposed and asked for financial assistance to the structures of the Stability Pact for the reconstruction of the road from Durrës to Pristina.

The issue of Kosovo is as old as traditional European policy towards the Balkans — a policy of creating zones of influence and of solving the problem by the imposition of force and dominance — embodied in international treaties and agreements over the past two centuries. The tendency of some countries today to solve the issue in the traditional way, without respecting the new reality in the Balkans, will surely provoke insecurity and tension and keep the region unstable. We think that only the continuation of the democratic process and the integration of Kosovo into the European Union is the right perspective for peace and stability in the Balkans. We believe that the contribution of the international community in Kosovo will soon yield the necessary result of strengthening peace and stability in the region. This process will always be easier and fair when the will of the people corresponds with the interests of the international community.

The President: I thank the representative of Albania for his kind words addressed to me.

I would now like to touch on a few points in my national capacity.

As the Bangladesh representative, I had the honour and pleasure of leading the Council mission to Kosovo and Belgrade. Bangladesh agrees fully with the findings of the mission, as contained in paragraphs 29-39 of the report in document S/2001/600. We expect that these findings will prompt concrete actions by all concerned.

My delegation, which also joined the first mission to Kosovo in April 2000, was impressed by the marked improvement in overall economic activity in the area, particularly in Pristina. I will touch on three points: a multi-ethnic Kosovo, democracy and the role of civil society in general and women's groups in particular.

On the first point, we believe that a peaceful future in Kosovo — or, for that matter, in the greater region — hinges on the greater tolerance and mutual accommodation of different ethnic entities. Although some progress has been made in the last two years, wounds are still open, mistrust is widespread and ethnically motivated violence active. The only practical way out of this is to significantly improve the environment so that all communities feel safe and secure, which will contribute much to confidence-building and thereby lay the foundation of a truly multi-ethnic society in Kosovo. In this context, Bangladesh emphatically reiterates its earlier assertions that the resolution of the issue of missing persons and detainees is crucially important for the healing process to begin.

The Security Council mission to Kosovo last week very appropriately carried a strong message urging the communities to do their utmost to create such a society. Broad participation in the political process is a crucial step towards the creation of a multi-ethnic society in Kosovo. The Kosovars should not allow the past to pull them back and should look ahead to the potentials of the future. Promoting a culture of peace and non-violence, particularly focusing on the children and young people, is crucial to the success of these efforts.

My second point is on democracy. The democratic process in Kosovo had a hesitant, but positive start with the holding of municipal elections in Kosovo last year. Some success has been achieved in the representation of different communities in the interim institutions, although the political engagement of the Kosovo Serbs has remained a challenge. The authorities of the Federal Republic of Yugoslavia have an important role to play in this engagement. The encouragement by President Koštunica of civil registration for the Kosovo-wide elections in November of this year has already had a positive effect. The difficulties being faced in organizing broad participation in the upcoming elections must be pursued with all earnestness. The Council mission last week left with the impression that it was unacceptable to continue on the basis of the status quo.

The third point relates to the role of civil society in general and women's groups in particular. Bangladesh is very pleased that it was possible for the mission members to meet with the representatives of women's non-governmental organizations (NGOs) in

Kosovo. We believe that the international community should increase its support to enable NGOs and women's groups to reach across the ethnic divide. Security Council resolution 1325 (2000) provides for greater participation in peace negotiations and in the political process by women. Such involvement of women's groups and networks in Kosovo needs to be ensured by the United Nations Interim Administration Mission in Kosovo (UNMIK). We hope that UNMIK will take immediate steps to work closely with these groups which are committed to the broader objectives of the United Nations in their work. Bangladesh strongly believes that civil society in Kosovo has played a significant role in enhancing the objectives of a multi-ethnic society and that it will continue to be an effective ally of UNMIK and its work.

Let me conclude by paying tribute to all those who are working in Kosovo, with dedication and enthusiasm, as part of a difficult and complex United Nations mission. Also, Bangladesh commends the Secretary-General's Special Representative, Hans Haekkerup, for his determined leadership as the head of UNMIK.

I now resume my functions as President of the Council.

There are no further speakers inscribed on my list. The Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1 p.m.

United Nations S/PV.4336

Security Council

Fifty-sixth year

Provisional

4336th meeting

Tuesday, 26 June 2001, 3.15 p.m.
New York

President:	Mr. Chowdhury	(Bangladesh)
Members:	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Ryan
	Jamaica	Miss Durrant
	Mali	Mr. Kassé
	Mauritius	Mr. Neewor
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Singapore	Ms. Lee
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kuchinsky
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation between Iraq and Kuwait

Letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2001/597).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-42649 (E)

The meeting was called to order at 3.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2000/597)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Austria, Bahrain, Canada, Germany, India, Iraq, Italy, Japan, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, the Netherlands, New Zealand, Saudi Arabia, South Africa, Spain, Sweden, the Syrian Arab Republic, Turkey and Yemen, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Douri (Iraq) took a seat at the Council table; Mr. Stuart (Australia), Mr. Pfanzelter (Austria), Mr. Buallay (Bahrain), Mr. Heinbecker (Canada), Mr. Kastrup (Germany), Mr. Sharma (India), Mr. Francese (Italy), Mr. Akasaka (Japan), Prince Zeid Ra'ad Zeid Al-Hussein (Jordan), Mr. Abulhasan (Kuwait), Mr. Dorda (Libyan Arab Jamahiriya), Mr. Hasmy (Malaysia), Mr. van den Berg (Netherlands), Mr. MacKay (New Zealand), Mr. Shobokshi (Saudi Arabia), Ms. Ndhlovu (South Africa), Mr. Arias (Spain), Mr. Schori (Sweden), Mr. Mekdad (Syrian Arab Republic), Mr. Pamir (Turkey) and Mr. Al-Ashtal (Yemen) took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 25 June 2001 from the Permanent Representative of Tunisia, which reads as follows:

> "I have the honour to request that Ambassador Dr. Hussein Hassouna, Permanent Observer of the League of Arab States to the United Nations, be allowed to participate without the right to vote in accordance with the relevant provisions of the United Nations Charter and rule 39 of the provisional rules of procedure of the Security Council in the Council's discussion of the item presently on its agenda, 'The situation between Iraq and Kuwait'."

This letter will be issued as a document of the Security Council under the symbol S/2001/631. If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Hassouna.

There being no objection, it is so decided.

I invite Mr. Hassouna to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the request contained in a letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council, document S/2001/597.

I should like to draw the attention of the members of the Council to document S/2001/603, which contains the text of a letter dated 18 June 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): The Russian Federation proposed the convening of today's meeting in this open format, with the participation of all interested States, in order to consider ways of improving the humanitarian situation in Iraq under the devastating sanctions that have been in place for so many years, as well as the question of a comprehensive post-conflict settlement in the Gulf region on the basis of relevant Security Council resolutions.

Resolution 1352 (2001) of 1 June clearly defined the main goal of possible changes in the Iraqi humanitarian programme: facilitating trade and economic ties between Iraq and the rest of the world. Accordingly, we participated in work on various possible ways of improving the humanitarian operation and very seriously considered all the various proposals made, including the draft resolution submitted by the United Kingdom.

I must say frankly that the deeper we get into the details of proposed changes in the sanctions regime, the more our doubts grow as to the feasibility of the concept enshrined in that draft and its political viability vis-à-vis the prospects for a lasting settlement in Iraq.

One basic element is that the system proposed in the draft resolution leads us away from the task of full implementation of Security Council resolutions on Iraq and basically requires the freezing of the current situation, in which sanctions are preserved with unacceptable consequences for the people and economy of Iraq and no progress is made on disarmament. Specifically, the key elements of the United Kingdom draft appear to lead not to easing the very harsh economic situation of Iraq, but rather to tightening the sanctions.

Many questions are raised by the authors' proposal of a "goods review list" for deliveries to Iraq. Until recently, the Security Council proceeded on the premise that, in order to ensure that Iraq did not resume its programme of weapons of mass destruction, it was quite sufficient to have the so-called "1051 list", including in the post-sanctions period. That list is already in effect and a procedure in place for its regular review. Such a review has just been carried out by the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the revised list requires further study. In any event, we believe that the list will continue to be applied on the basis of resolution 1051 (1996).

It is now being said that the authors of the new concept regard the "1051 list" as inadequate. They want to include in their "goods review list" goods from the so-called Wassenaar Arrangements. Those Arrangements, however, which bring together a limited group of countries on a voluntary basis, are already being applied in practice, *inter alia*, in respect of Iraq. Giving those Arrangements a "sanctions status" under Chapter VII of the Charter of the United Nations would have very serious legal and political consequences.

Above and beyond the Wassenaar Arrangements, a third part is being proposed for this "goods review list", in which there would be a list of additional products also subject to monitoring for delivery into Iraq. Included in this third category are goods defined in such a way that it would be possible, via very vague procedures for considering contracts, to block projects that are essential to the recovery of the energy, oil, industrial and other areas of Iraq's economy. An analysis demonstrates that this list of goods would not be broader, but would be rather more prohibitive. Its approval could undermine prospects for the industrial development of Iraq.

The draft resolution contains nothing investment or economic projects — and not only infrastructure projects — which runs contrary to resolution 1352 (2001) in respect of facilitating economic ties with Iraq. There is also total silence concerning the fate of the Memorandum of Understanding between Iraq and the United Nations, on which the humanitarian programme has been based to date. It would therefore appear that this new scheme is to be introduced without Baghdad's consent, and that is utterly unrealistic. Moreover, it is contrary to the decisions of the Council concerning the need to respect the sovereignty and territorial integrity of Iraq.

Overall, the concept that has been put together changes the very essence of the humanitarian programme of the United Nations, politicizes it and makes it and UNMOVIC into an instrument for applying sanctions pressure. Attempts to use the humanitarian operation to resolve tasks unrelated to it would bury all hope for a resumption of ongoing disarmament monitoring in Iraq and the legal lifting of the anti-Iraq sanctions, pursuant to Security Council decisions.

The perpetuation of sanctions can make the situation in the Gulf much worse. Given the conditions of the crisis in the Middle East, this would raise regional tension to a qualitatively new level of danger. Neighbouring States of Iraq and other States of the region already see this new concept as a threat to their new socio-economic and political stability. We are also concerned that, as a result of introducing these so-called "smart" sanctions, serious damage could be done to the legitimate trade and economic interests of many countries, including Russia.

We feel that the adoption of the proposed draft resolution on smart sanctions would be detrimental to averting the humanitarian catastrophe, devastate the Iraqi economy and work against a post-conflict settlement in the Gulf region.

Taking account of all these factors, we cannot agree to this draft resolution, which seems unadoptable. This certainly does not mean that Russia is not prepared to discuss further questions of how the humanitarian operation functions. However, such a discussion must not be politicized and must be geared towards reaching agreement on measures that would genuinely improve the humanitarian programme in order to undertake tasks that are truly humanitarian.

At the same time, Russia feels that we must delay no longer the resumption of Security Council work on a comprehensive settlement of the Iraqi problem. Everyone knows that this work was interrupted because of the hasty adoption of resolution 1284 (1999), which contained too many gaps and too much ambiguity that made the resolution not implementable in its current form. Since then, we have consistently advocated creating the necessary conditions and mechanisms for implementing the resolution, but some States members of the Security Council did not want that. The deadlock that has arisen as a result made us unable to implement the Secretary-General's initiative concerning a comprehensive dialogue between the United Nations and Iraq on all pending problems.

We regard the status quo as unacceptable, so today we have introduced a specific proposal that contains clear criteria for suspending and then lifting sanctions that are tied to the deployment in Iraq of the ongoing monitoring and verification system on the basis of implementation of existing resolutions of the Security Council. We are convinced that there is simply no alternative to this comprehensive approach if we all want to achieve a lasting settlement around Iraq and in the entire Gulf region that is strictly in accordance with resolutions of the United Nations.

Sir Jeremy Greenstock (United Kingdom): The United Kingdom welcomes this meeting. The Security Council is at an important point in its consideration of this issue. It is right for us to hear the views of other Members of the United Nations before we take decisions.

There are two principles which have guided us and must continue to guide us in the Council in handling Iraq. They are clearly enshrined in resolution 1352 (2001). First, it is our responsibility in the Council to prevent Iraq from posing a threat to its region and, as part of this, to ensure that Iraq is fully and verifiably disarmed of its weapons of mass destruction. Until this is the case, it is the responsibility of the Council to ensure that Iraq cannot rearm and cannot once again pose a threat to its neighbours. The second principle is as important and even more immediate: to alleviate the suffering of the Iraqi people and take whatever steps we can from outside to ensure that their needs are met. To this extent, we agree with the Russian Federation that the status quo is not acceptable.

These two principles are embodied in resolution 1284 (1999), which remains the comprehensive framework for the Council's approach to Iraq. This resolution instituted various steps to relieve the human suffering in Iraq. It also sets out a route forward for Iraq to the suspension and lifting of sanctions if Iraq chooses to cooperate with the United Nations in meeting its disarmament obligations. That route map remains the Council's policy and the only credible way forward; and the implementation of resolution 1284 (1999) is supported by all Council members because it will mean the end of sanctions. There is no good reason to back away from or to alter that framework, nor does the United Kingdom have any wish to do so.

If Iraq decided to cooperate with resolution 1284 (1999), we are all willing to work with them without any further delay. Let us be clear, resolution 1284 (1999) has not been implemented because Iraq has refused to implement it. That cannot be the basis for any kind of renegotiation of its terms. But if Iraq indicates a willingness to move forward, the Council will undoubtedly wish to reciprocate by fleshing out in detail the precise steps that need to be taken. To move while Iraq continues to reject the Council's position will only serve Iraq's wish to divide the Council and to avoid its international obligations. I repeat: the only route to the ending of sanctions lies through the confidence of the Security Council, living up to its responsibilities, that Iraq has disarmed in accordance with the resolutions.

We now have before us a series of proposals, set out by the United Kingdom in our draft resolution, to allow Iraq to import the full range of civilian goods without restriction. Three weeks ago, in resolution 1352 (2001), the Council agreed to spend a month examining and refining those proposals and, at the end of that month, to agree on a new set of arrangements. I emphasize that the aim was not to replace the Council's comprehensive approach in resolution 1284 (1999), but to do two things: to set in place measures to liberalize the flow of goods to Iraq and, at the same time, to examine ways to make sure that military-related items are not exported to Iraq.

These are two goals supported by the whole Council and, I am sure, by the entire United Nations membership. Resolution 1352 (2001) represented an unusual agreement in the Council on these two aims and gave hope to the wider world that we had gathered some momentum and a sense of responsibility. In agreeing on that resolution, all Council members accepted that the measures should be instituted quickly, and that a month was a reasonable target within which to agree on the new proposals in detail.

That month is nearly up. There have been intensive discussions at the expert level covering every aspect of our proposals. Differences remain. It would be naïve to expect agreement on every point, but compromises have been worked out on many issues and there is now no good reason why a decision should not be taken to institute a set of arrangements to fulfil the dual purpose set out in resolution 1352 (2001). My delegation will continue to work as hard as it takes to meet that deadline.

Clearly, others are less optimistic, or less determined. We should examine their reasoning carefully. The Council now has the chance to agree upon and implement changes that will make an immediate and positive difference to the flow of civilian goods to ordinary Iraqis. Iraq is opposing these changes because it wishes to freeze the work of the Council and escape from its obligations. It has calculated that time and international inertia will be on its side. In that respect, the Council is being challenged.

Let me say in all frankness that none of us, on this issue in particular, can allow national economic self-interest to hold up positive measures for the Iraqi people. Having successfully negotiated the unanimous adoption of resolution 1352 (2001), we must collectively ensure that the two principles of that resolution are the principles which guide us now.

The new proposals contained in the British draft resolution will make an important and significant difference to the flow of goods to Iraq. From a situation where no export is allowed unless approved by the Security Council Committee established by resolution 661 (1990), we will move to a situation where every export is allowed except for a very limited range of items which must be reviewed by the 661 Committee on the basis of criteria related to their potential military use. Even for those items, there is no presumption of denial. We believe this change will bring a dramatic improvement in the flow of goods and a dramatic reduction in the level of holds. Even within that limited category of items reviewed by the Committee, we intend to allow the export of a good number if there is proper monitoring.

The current discussion of the Goods Review List, contrary to the Russian Federation's contention, is a search for clarity and therefore for ease of procedure, and not a search for broadening or tightening. We are even now constructively negotiating on the Goods Review List.

We are fully aware that in many cases sensitive items can form a key component of larger civilian projects which must be allowed to go forward if the economic infrastructure of Iraq is to be rebuilt. We want to see the ordinary civilian infrastructure reconstructed in Iraq, and our attitude to individual items reviewed by the Committee will be guided by that philosophy.

At the same time, we all have to continue to exercise our responsibility to ensure that items are not exported to Iraq that, unless closely supervised, will allow Iraq to rebuild its military capability. Accompanying these changes, there should be a slimming down in the bureaucracy facing those who wish to export goods to Iraq or operate projects there. Procedures will be simplified. There will be no reason why Iraq cannot import the civilian goods it needs. The funds are there, and with these proposals Iraq will have the freedom to purchase all necessary civilian items. There is no intention in this draft resolution to harm the economic interests of neighbouring States or others doing legitimate business with Iraq. We expect to see an expansion of civilian trade, which will benefit all. There will be no reason why Iraq cannot import a full range of civilian goods, and Iraq will have no pretext to blame the United Nations for the suffering of the Iraqi people. The new proposals will nail that false charge once and for all.

The capacity to rebuild military potential, against the rulings of the Security Council, is related to the flow of money, as well as to the flow of goods. Do not make the mistake, as some do, of confusing the Iraqi civilian economy with the economic activities of the Iraqi Government. We are all aware that Iraq continues to export oil outside the United Nations system to build up illegal revenue with which it can purchase weapons and other proscribed items. There is worrying evidence that such items continue to find their way into Iraq. This traffic has to be controlled if the resolutions of the Council are to have their intended effect.

Our draft resolution would ask the Secretary-General to consult and cooperate with the neighbouring States to address these problems. There are also obligations on supplier countries. We are not laying blame, but each one of us must be vigilant to ensure that illegal flows are prevented.

The logic of those who argue that our proposed measures will damage or set aside the policies set out in resolution 1284 (1999) is precisely wrong. The aim of all of us is the ending of sanctions. The period December 1999 to June 2001 has seen no progress towards that objective because Iraq has preferred the continuation of sanctions, whatever the effect on the Iraqi people, to acceptance of the disarmament process set out in resolution 687 (1991) and resolution 1284 (1999). Doing nothing now will not change that. Nor will any proposal to alter the conditions of resolution 1284 (1999) change that. Adoption of our draft resolution will change the situation. There will be an immediate improvement in the lives of ordinary Iraqis, the longest-suffering victims of the situation between Iraq and Kuwait. And the course mapped out by resolution 1284 (1999) is more likely to be seen as the right one if we take steps to refocus the sanctions policy of the Council, as resolution 687 (1991) originally intended it. That is our primary consideration in advocating these proposals: calculate the quickest route, in the light of the realities, to the ending of sanctions.

There are other steps in our draft resolution which will move the present situation forward. Iraq will be allowed to pay its United Nations dues from the escrow account. Aircraft frozen and held in other States will be allowed to return to Iraq. Steps will be taken to begin, on an independent and objective basis, to address the problem of the illegal oil surcharge levied by Iraq on purchasers of Iraqi oil. In other areas, practical work can proceed to implement decisions of the Council. For example, we have agreed, in resolution 1330 (2000), that Iraq should utilize funds from the escrow account for a so-called cash component in the oil sector. We are ready to agree to this proposal, but note with regret that Iraq continues to block the implementation of the cash component elsewhere in the Iraqi economy. This is an insupportable obstruction of a step that has been recommended by every United Nations agency and humanitarian non-governmental organization in the field, a step which these bodies believe would make a considerable difference to improving the situation of ordinary Iraqis. Yet again we question the true priorities of the Iraqi Government in blocking this improvement. Nevertheless, the oil cash component should go forward, on a basis whereby funds cannot be diverted for illegal use.

The United Kingdom has put forward these proposals in good faith within the overall framework of resolution 1284 (1999), in response to calls made by many in the international community to alleviate the plight of the Iraqi people. The principles of the approach were unanimously endorsed by the Security Council through resolution 1352 (2001). We would find it unaccountable for the Council, or any member of the Council, not to move forward on the basis of those principles. The risk is that if we do not act now, the Security Council may never be in a position to act. There is therefore every reason for the Council to put into practice now the approach we set out in resolution 1352 (2001).

Mr. Levitte (France) (*spoke in French*): is pleased that a public debate in the Security Council open to all Members of the United Nations is being devoted to the question of Iraq. This is a useful first on an issue that has occupied the attention of the Council for 11 years now.

Maintaining the current status quo is not satisfactory. It is not satisfactory in terms of the authority and credibility of the Council. Its decisions have remained a dead letter. The Council has been unable to impose a solution.

It is not satisfactory for the Iraqi population either. Iraq is experiencing a humanitarian crisis of unparalleled scope. Just to take one figure, the infant mortality rate has more than doubled since 1990. The efforts made by the Council through the oil-for-food programme have of course had their merit. However, the extremely bureaucratic nature of the system and the blocking of the functioning of the sanctions Committee have barely made it possible to do anything other than ensure the survival of the Iraqi people and keep them indefinitely dependent on assistance. Iraq's interruption of its oil sales a month ago can only further aggravate the situation.

Finally, it is not satisfactory for regional security. For two and a half years the Security Council has no longer had any inspectors in the field to verify that Iraq has not resumed its programmes of weapons of mass destruction. The magnitude of smuggling, a practice representing several billion dollars, makes the validity of the escrow account illusory.

It is essential that we find a way out of this impasse. Despite its divisions, the Security Council is aware of this. It endeavoured to do this by adopting resolution 1284 (1999), which we think was an improvement upon resolution 687 (1991). In exchange for the return of inspectors to Iraq and the establishment of a long-term monitoring system, Baghdad could have speedily obtained the suspension, and then the lifting, of sanctions. The advantage of this proposal was to reconcile humanitarian needs with security concerns and to provide a long-term solution. Iraq could expect to rejoin the community of nations. This course has not yet been taken because of Iraq's rejection of resolution 1284 (1999). Yet this course remains available. resolution 687 (1991) and its complement, resolution 1284 (1999), remain the foundation for the Council's work. We intend to continue advocating the return of United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and International Atomic Energy Agency monitors to Iraq. We welcome the preparatory work done to this end by Mr. Blix, and we call upon Iraq to cooperate with the United Nations and UNMOVIC.

We appreciate the efforts of the Secretary-General in the context of the dialogue he began with Iraq after the Islamic Summit Conference in Doha last November. We encourage the Secretary-General to continue his dialogue with Iraq in order to better ensure that Iraq will understand Council action, to remind it that resolutions 687 (1991) and 1284 (1999) are the Council's reference points and to promote the resumption of Iraqi oil sales and the implementation of the oil-for-food programme.

We would like Iraq to respond to that willingness to engage in dialogue with constructive gestures, so as to restore trust: the return of Kuwaiti missing persons and Kuwaiti property; adherence by Iraq to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; and permitting travel by the Chairman of the sanctions Committee. An opening by Iraq would enable the Security Council to begin working to clarify certain elements of resolution 1284 (1999).

Difficulties in the implementation of resolutions 687 (1991) and 1284 (1999) should not prevent the Security Council from acting. If Council action is unified and takes into account humanitarian and regional security needs it will be useful. With that in mind, we welcomed the United States proposals for improving the functioning of the oil-for-food programme.

For more than three years we have been proposing significant reform of the oil-for-food machinery. We cannot fail to support a transfer of jurisdiction from the sanctions Committee to the Secretariat. That ought to result in a very substantial reduction in the number of contracts that are on hold. That is indispensable. Even after a decrease in holds amounting to $600 million, $3.2 billion in contracts remain on hold in the Committee established by resolution 661 (1990). To that we must add $1.1 billion in contracts still being studied by the Secretariat. The length of the list of goods subject to sanctions Committee control and the way in which this provision is being applied by the Committee and by the Secretariat are key elements in ensuring the success of this enterprise.

Easing restrictions on trade with Iraq cannot by itself enable the economy to recover sufficiently to respond to the humanitarian crisis. That recovery requires the return of normal economic conditions. That is why France has proposed that foreign investment be authorized, as proposed by the panel chaired two years ago by Ambassador Celso Amorim. That is why we propose that services be approved without delay. That is why we request that local expenditures for the petroleum industry — the cash component — be accepted, as the Secretary-General proposes in his 6 June report, and as had already been agreed in resolution 1284 (1999).

To be successful, Security Council action must be understood and supported by the international community, especially the main interested parties: Iraq's neighbours. Is it not in the name of regional security — the situation of Iraq's neighbours — that the Council is exercising its authority? It therefore seems important that the Council, through the Secretary-General, should work in close cooperation and coordination with those States. Everyone acknowledges that what should be done is to set up machinery for cooperation with the countries concerned, rather than imposing Chapter VII obligations on them. Decisions on possible trade arrangements between Iraq and its neighbours and on possible improvements in border controls should be taken with the agreement of those neighbours. Such arrangements must not jeopardize the existing arrangement between Iraq and Jordan, which has been accepted by the sanctions Committee. Indeed, to our mind, that arrangement could serve as a model.

Finally, a resolution must provide solutions to thorny problems. There must be a liberalization of air traffic without pointless constraints and without creating problems for Iraq's neighbours. Iraqi arrears to all organizations must be subject to payment. Rates of assessment on Iraqi oil sales for the benefit of the Compensation Commission should be the focus of a machinery agreed upon by the Council.

We are ready to work on all these matters with a view to agreeing on an ambitious text that will truly address the defined objective of easing civilian sanctions. We are looking for a way for the Security Council to regain unity on the issue of Iraq. Without consensus, any resolution, even if it is adopted, could be incompletely or poorly implemented. We must build a system that will enjoy the support of the international community, first and foremost Iraq's neighbours. That is the thrust of France's written contribution to the present discussion. We want speedy agreement on that basis within the timeframe set out in resolution 1352 (2001).

Mr. Cunningham (United States of America): Ten years after the Iraqi regime invaded, occupied and brutalized Kuwait, it is useful for the Council to remind itself of how we got to where we are now and of what we can do together to change an unsatisfactory situation. On 2 August 1990 and for the six months it took for the United Nations to remove invading Iraqi troops, the Iraq regime attempted the unthinkable: to extinguish the existence of another United Nations Member State.

Once the international community defeated that attempt, the Security Council focused on ensuring that the regime which carried out the invasion and which remains unrepentant to this day would not have the ability to wage war on its neighbours or to threaten them with weapons of mass destruction ever again. To this point we have been successful. The Security Council has assumed a special role in maintaining security in the Gulf region; Iraq continues to pose a clear threat to that security; and it must be the Council's purpose to ensure that that threat remains contained.

But it is clear that the Iraqi people have borne the burden of the regime's policies. The oil-for-food programme has grown into the largest humanitarian programme ever run by the international community. It is a reflection of the regime's lack of cooperation and of its disregard for its own population that, despite the billions of dollars that have gone into Iraq under the programme, Iraq's development levels have not met the potential of the oil-for-food process. It is equally a measure of the programme's success that Iraq's development, by some standards, actually exceeds that of some of its regional neighbours.

During these past six years, the nature of the oil-for-food programme has changed, even though the name has not. But a better name today would be "oil for development", because such a term would more accurately reflect the fact that even today the Iraqi regime could redevelop the country using the oil-for-food programme, if it chose to do so. Instead, Iraq is using money and oil as a weapon against the international community. Iraq has not sold oil since the adoption of resolution 1352 (2001); that has cost the humanitarian programme more than half a billion dollars, on top of the several billion dollars that Iraq lost by shutting off oil some months ago.

Iraq has made much of the fact that its financial liquidity will allow it to defy the international community for several months. It has been clear for some time that we, the international community, care more for the Iraqi people than the regime does. As a result, Baghdad is making clear that despite all its protests it actually prefers the status quo to our proposal to change the oil-for-food programme so as to allow the Iraqi people the broadest possible contact with the rest of the world, especially through civilian commercial trade, and to significantly improve the humanitarian situation in Iraq.

My Government is accustomed by now to Iraq's cynicism towards its own people and to its bluster and threatening policies. We find it harder to understand, however, why others would join in playing that game when the status quo is clearly not satisfactory.

Let us be clear about what we are trying to accomplish with the United Kingdom draft resolution. Far from "freezing the present situation", if we agree to something like it in its current form, we will have done nothing less than lift the sanctions on regular civilian commercial trade with the Iraqi people. It is the height of irony that, at the very moment my Government and others are prepared to undertake this radical shift of direction, we find ourselves under attack by others who have long pressed for change to the system. These States, like the Government of Iraq, seek to perpetuate the status quo instead of looking ahead.

We, on the other hand, want to change the system now so as to allow purchases of the civilian goods needed to develop Iraq's economy. Under the current system, to which we will revert if the new system cannot be brought into being, all exports to Iraq are forbidden unless specifically permitted by Security Council resolution or a specific decision of the sanctions Committee. Under the proposed system, everything is permitted unless it is contained on a list of military or dual-use goods, in which case it will be reviewed, not denied.

Iraq will be able to acquire everything it needs to improve the lives of its people and to provide for the country's development. The Iraqi regime will be prevented only from acquiring the few items critical to increasing its ability to threaten international peace and security. Almost every item that Iraq could need or want for its civilian development will not be subject to review by the sanctions Committee. Goods could flow rapidly to where they are needed most under a simplified procedure. Even items subject to control would go to Iraq once there is confidence that they would not be used to rebuild Iraq's weapons of mass destruction or improve its military capabilities.

Some continue to confuse the proposed review list with a denial list, so let me address this once again, because it is at the heart of the proposal. The items on the goods review list now under negotiation will be subject to review by the sanctions Committee. If it is clear that the goods will only be used for civilian purposes, those goods will be approved for export. This is a historically significant change in the way the United Nations does business with Iraq, and it is directly responsive to concerns raised in this Chamber repeatedly in the past, and contrary to assertions about "vague procedures", we are in fact negotiating agreed procedures that will provide the desired clarity, at least to almost all of the members of the Security Council.

We share concern that Iraq's neighbours might be damaged economically if Iraq responds to the changed system by ending trade arrangements with them. But there is no way to be certain about anything the Baghdad regime might do, and Iraq has its own interests in these trade arrangements. But it has, however, resorted to threats. Importantly, the current draft resolution asks nothing of the States neighbouring Iraq, except to continue consultations with the Secretary-General. Neither we, nor, I am sure, any other member of the Council, would seek to impose any particular set of rules on these countries against their will and without their cooperation. Instead, we suggest that we would use the next six months at least to explore what arrangements might be beneficial in assuring the promotion of legitimate trade by which the Iraq regime does not acquire unauthorized items or illicit cash.

There are a number of other issues being considered as well in this draft resolution. These include international civil aviation and different forms of economic interaction that would open prospects for the Iraqi people. A number of these have been under discussion for some time in this Council, and if we were able to agree on this package, it would be an important step forward in that regard as well.

Some have suggested this new approach to be an abandonment of resolution 1284 (1999) and a move away from implementing the other applicable Security Council resolutions regarding Iraq. That assertion is fundamentally misleading. The introduction of this new approach to Iraq is in fact a bridge between the current situation and the existing framework of Security Council resolutions. The Council will still need to be certain that the region no longer faces a threat from Iraqi weapons of mass destruction. Instead of tearing up the Council's longstanding approach, this proposal ensures its survival, expands vastly the range of goods available to the civilian population and promotes future implementation by showing the Government of Iraq that it has no alternative to cooperation with the United Nations. Perhaps that is why, indeed, the Government of Iraq prefers the status quo.

The United States of America urges all members of the Council who want something better for the Iraqi people to join us in taking the next step toward the creation of a better – not perfect – but better system than the one that now exists. The draft resolution now being considered by the members of the Council, which moves far beyond the status quo, is that next step.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation wishes to thank the Russian delegation for its initiative in calling for a public meeting of the Security Council to consider all aspects of the Iraq question. We also appreciate your timely scheduling of this meeting.

The Iraq question is one of the important international questions that has been under consideration in the Council in recent years. Before the Council makes its decision on the Iraq question, holding a public meeting of the Council to hear the views of the general membership of the United Nations will help to ensure that the Council's decision will fully reflect the legitimate concerns of the Member States. This is also a positive step in the reform of the Council's working methods.

The Chinese Government has always advocated a comprehensive resolution of the Iraq question on the basis of relevant Council resolutions. The current stalemate in the Iraq situation is not in the interest of peace and security in the Gulf region. It does a disservice to the authority of the Security Council and will not be conducive to achieving the overall easing of the humanitarian situation in Iraq. In order to break this stalemate as soon as possible, we favour a comprehensive approach that takes into account all aspects of the Iraq question and the search for a way out of the impasse on the basis of resolution 1284 (1999).

This afternoon we received a draft resolution submitted by the Russian delegation, which undoubtedly is a useful proposal aimed at breaking out of the present deadlock in the Iraq situation and bringing about an early, comprehensive resolution of the Iraq question. We will carefully study the Russian proposal.

On 1 June, the Security Council unanimously adopted resolution 1352 (2001) on the Iraq question. In accordance with this resolution, the Security Council will consider new arrangements on the sale and supply of goods and commodities to Iraq. It is to take a decision by 3 July.

Some Council members have already put forward draft resolutions on the new arrangements. We believe that the Security Council should seriously consider these drafts in the context of a comprehensive resolution of the Iraq issue. The Chinese delegation has actively participated in the consultations on draft resolutions regarding the new arrangements and the Goods Review List in a constructive and pragmatic manner. We have tabled the Chinese Government's position paper and amendments.

We hope that the discussions in the Council will be able to create conditions for breaking the stalemate on the issue of Iraq, so that this issue — which has been before the Council for 11 years — will not be a perennial item on its agenda. Judging from the weeks of discussion — whether they have been inside or outside the Council — there are still quite a number of serious differences regarding the new arrangements. I wish to make a few comments on the comprehensive settlement of the issue of Iraq in the context of these discussions.

First, resolution 1352 (2001) points out that the new arrangements are aimed at improving the humanitarian situation in Iraq and at greatly increasing the flow of civilian goods into Iraq. The 11-year-old sanctions have brought dire suffering to the Iraqi people. In particular they have penalized large numbers of innocent women and children. The international community is vigorously called upon to effectively improve the humanitarian situation in Iraq. If the Security Council turns a blind eye to or does not do enough to improve the humanitarian situation in Iraq, it will not be justly addressing the great expectations of the general membership of the United Nations.

The Security Council's relevant resolutions implementing sanctions against Iraq are aimed at resolving the issues regarding Iraq's disarmament, so that Iraq's weapons of mass destruction will be destroyed and Iraq will no longer have the ability to produce such weapons in the future. Iraq's normal, civilian interactions with other countries — for example, trade and investment — should not have been subjected to sanctions. The oil-for-food programme, which started in 1996, has played a positive role in easing the humanitarian situation in Iraq. However, years of experience have shown that large numbers of contracts for the export of civilian goods to Iraq have been put on hold. It has also been impossible for the Iraqi people to conduct normal economic activities.

Therefore the Chinese Government is of the view that the new arrangements must take a new approach to these matters.

During the discussions the Chinese side has emphasized that the Council should draw up the Goods Review List on the basis of a reduced list based on resolution 1051 (1996), so that — with the exception of items on the final approved list — Iraq will be able to freely import any civilian goods that it needs. The financial controls and restrictions against Iraq should be relaxed, and Iraq should be allowed to use the funds in the escrow accounts to pay its contribution to the United Nations, as well as to contribute to other international organizations. Foreign companies should be allowed to invest in Iraq, and countries should be allowed to freely sign service contracts with Iraq. Civil-aviation flights to and from Iraq should be allowed to resume.

We believe that a fundamental amelioration of the humanitarian situation in Iraq is an important and indispensable step towards breaking the present deadlock and towards a comprehensive resolution of the Iraq issue.

Secondly, resolution 1352 (2001) also points out that the new arrangements will improve the control of the sale and supply of proscribed or unauthorized items. This will mean that the necessary sanctions against Iraq will continue. The Chinese Government has always believed that Iraq should strictly implement the relevant Council resolutions and resolve the outstanding disarmament issues.

The new arrangements must not serve to perpetuate the sanctions, but should be aimed at finding a way out of the present deadlock on the Iraq issue, so that this issue will be resolved in a comprehensive fashion as soon as possible. We hope that Iraq will resume its cooperation with the United Nations, consent soon to the return of the United Nations Monitoring, Verification and Inspection Commission to Iraq and resolve the remaining disarmament issues.

The Chinese Government has always stressed that in order to make progress on the disarmament issues the ambiguities in resolution 1284 (1999) have to be clarified. In particular, in order to motivate Iraq to resume its cooperation with the United Nations, there is a need to clearly define the criteria for terminating the sanctions against Iraq. This is another important and indispensable step towards breaking the deadlock and achieving a comprehensive solution to the Iraq issue.

At the same time we also believe that Iraq's sovereignty, territorial integrity and independence should be respected. The countries concerned should demonstrate the required good will and sincerity by putting an early end to bombings of Iraq and by doing away with the no-fly zone, thus creating conditions for an early resolution of the Iraq issue.

Thirdly, the tabling of the draft resolution on new arrangements has caused serious concern among Iraq's neighbours. China is deeply aware of the losses suffered by Iraq's neighbours as a result of the sanctions against Iraq. No new arrangement should have further negative impact on the political, economic and social life of Iraq's neighbours. It is our belief that the Council's approach in this area should be based on an objective assessment of the facts, pay close attention to the views of Iraq's neighbours and seek their understanding and cooperation. We cannot continence any harm to the legitimate interests and rights of Iraq's neighbours as a result of the new arrangements.

In addition, the issue of missing Kuwaitis and the loss of property should be properly resolved at an early date. This issue has long been a source of great suffering for the Kuwaiti people and has remained a priority concern of the countries of the Gulf. In accordance with the relevant provisions of international law, Iraq is obliged to cooperate by identifying and returning to Kuwait the missing Kuwaitis and Kuwaiti property. We believe that the timely and proper resolution of this humanitarian issue will contribute to an early normalization of inter-State relations in the Gulf, as well as to an early comprehensive resolution of the Iraq issue.

The President: I should like to inform the Council that I have received a letter from the representative of Thailand in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jayanama (Thailand) took the seat reserved for him at the side of the Council Chamber.

Mr. Mejdoub (Tunisia) (*spoke in French*): Mr. President, we would like to thank you and Ambassador Sergey Lavrov of the Russian Federation for having suggested this public debate, which has provided the Security Council with an opportunity to assess the progress made towards achieving its goals in the Gulf region and the Middle East, and to visualize clearly the next step. My delegation would like to make its contribution to the debate with the following thoughts.

I turn first to the general guidelines for the Security Council. The Council must take a comprehensive approach to the question of Iraq. As we know, there are many varied aspects to this question, but they are not unrelated. Indeed, they have a potential impact on one another, whether it be disarmament, the humanitarian situation in Iraq, or other humanitarian issues such as Kuwaiti nationals and nationals of other countries, or Kuwaiti property. The status of those issues, and the continuing quest to attain the objectives that have been set in those areas, must be viewed in relation to the achievement of the Council's goals in the region — that is, security and stability for all.

Secondly, I turn to the humanitarian situation in Iraq. Because of the many different sanctions imposed on the country — indeed, the most extensive and the harshest ever imposed by the United Nations on a country — Iraq's economy is devastated, its society is crumbling, and the humanitarian situation of the Iraqi people is on the brink of utter collapse and a source of serious concern, according to international humanitarian organizations.

Last week, the London *Economist* wrote that this country of 22 million people, with its great civilization, has been reduced to the level of a Stone Age society. Despite its positive contribution, the oil-for-food programme — a temporary and limited measure — cannot stand in for a genuine recovery of the Iraqi economy, which is the only way of providing an appropriate response to the urgent and immense needs of an entire population.

But how can one possibly even think of economic recovery in the country without direct foreign investment, particularly in the key oil sector, without a cash component for that same sector, without service activities, without any real lifting of the restrictions on air transport, without financial resources — enough for Iraq to pay its arrears to the various international organizations — and the list goes on.

The Security Council should accept and approve such steps, because otherwise, the humanitarian tragedy of the Iraqi people, which has been playing out for so many years now, will simply continue to be a blot on our conscience. Tunisia will continue to work daily in the Security Council, as it has consistently done, with a view to improving, before it is too late, the situation of the Iraqi people, who are in such distress.

Thirdly, I turn to the question of implementation of Security Council resolutions. The Council's resolutions on Iraq provide a legal framework and define Iraq's obligations, in particular in the area of disarmament. They also reflect the Council's commitment to modifying the sanctions regime on Iraq — in other words, to easing the sanctions and lifting them completely, once and for all, depending on Iraq's cooperation in discharging its obligations.

Those resolutions must be implemented in good faith by all parties. The principle of the sovereignty and territorial integrity of all States — one of the cardinal principles of the Charter, which can be found throughout the Council's resolutions on Iraq — must be respected by all, including members of the Council, as the Council's resolutions are the collective expression of its will. Indeed, legality is indivisible, as is the law. What is at stake is the credibility and effectiveness of the work of this organ, which has the great responsibility for the maintenance of international peace and security. In this connection, I would mention that the question of no-fly zones should be reviewed.

Moreover, and in order to facilitate implementation of those resolutions, every effort should be made to avoid ambiguity, which, far from being constructive, only complicates their implementation on the ground. The Council must therefore consider the possibility of making the necessary clarifications to certain resolutions — such as resolution 1284 (1999) — because, failing that, there is a danger of the resolutions' simply remaining a dead letter. Indeed, if this were the case, a comprehensive solution would not be facilitated, the sufferings of the Iraqi people would not be eased, and the achievement of the Council's objectives would not come any faster.

This also applies to any resolution to be adopted in future, and it is even more true in respect of resolutions that would innovate and introduce substantial changes in the existing regime.

As for Iraq itself, it has been cooperating for several years with the United Nations and the Disarmament Commission. This cooperation, which must be duly noted and recognized, must continue with a view to resolving the remaining pending problems, because its contribution is indispensable. It must be encouraged, through incentives and through the real and tangible prospect of finally seeing light at the end of the tunnel — in other words, seeing the sanctions lifted, so that it can resume its seat in the community of nations.

Fourthly, I turn to the question of post-conflict settlement for the region. For 11 years now, Iraq has been under a very broad embargo. The situation is painful, both morally and in humanitarian terms. Geopolitically, it is a factor of instability in the region. Obviously, this does not serve the objectives of the Council. That is why we believe that the question of Iraq should not continue to be viewed and dealt with only from the standpoint of sanctions and coercion. Political and diplomatic paths do have their virtues, and they should inspire a fresh approach to this question by the Council, with a view to hastening the advent of a comprehensive solution that would facilitate a final settlement of pending issues, such as Kuwaiti missing persons and Kuwaiti property, and would ensure for all countries of the region — I stress, all countries of the region — conditions of security, stability and peaceful coexistence — in a word, peace. On the basis of that peace, the Governments and peoples concerned would build good neighbourly relations and mutually beneficial cooperation in rediscovered trust.

In order to get the Iraqi issue out of the current deadlock, and finally to sketch out a comprehensive solution, which is what we all would advocate, negotiation is the only right road. Since joining the Security Council, Tunisia has always called for negotiation. We welcomed the beginning of a dialogue last February in New York between an Iraqi government delegation and Secretary-General Kofi Annan. However, that exercise was not continued as had been envisaged between the two parties. Our Council should encourage resumption as soon as possible. It is high time that some movement or dynamic be started so that we can move ahead; otherwise, this situation runs the risk of continuing to stagnate — but at what price for Iraq, for its people and for the region? It is a region in upheaval because of the situation in the occupied Arab territories. It is a region where public opinion is bitter and frustrated, impatiently waiting for the winds of peace and reconciliation to blow through.

It is our hope that the Security Council will be inspired by this overall approach in its future actions. This is the approach that we would advocate at a time when the Council is actively seized of a draft to review the sanctions regime.

Mr. Kolby (Norway): Norway attaches the utmost importance to a prompt and lasting settlement of this issue. At the same time, we recall the background and purpose of sanctions against Iraq, which are clearly linked to preventing Iraq from yet again constituting a threat to peace and security in the region. We are committed to the premises for ending these measures. A lasting settlement can happen, and will happen, only on the basis of full Iraqi cooperation with the international community in conformity with the relevant resolutions of the Security Council, including its resolution 1284 (1999).

The basic requirements of cooperation with the international community are simple. They are shared by all members of the Council. They are reasonable, seen against the background of earlier records of compliance by the Iraqi authorities.

The essential message from the international community is, therefore, that the key to unlocking the door of sanctions is through full cooperation. Iraq holds the key. On our part, we have been eager to see that key being properly turned in order to lift the sanctions.

Weapons inspectors must be given entry to Iraq, and Iraq must demonstrate its willingness to cooperate fully with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC). We have full confidence in the Commission's Chairman, Mr. Hans Blix, and his team. In the field of weapons of mass destruction, particularly after Iraq has demonstrated use of such weapons, the international community could not issue a clean bill of health without reasonable guarantees. The international community has been demanding nothing more, and nothing less.

Moreover, we regretfully have to revert to the issue of missing persons and stolen property. We are deeply concerned by the plight of the missing Kuwaiti and third-country nationals, as well as their families. It is disturbing that there is no progress on this matter. We urge Iraq to ensure the expeditious repatriation or the return of all Kuwaiti and third-county nationals or their remains. Iraqi statements attacking the integrity of the high-level Coordinator, Ambassador Vorontsov, must be clearly rejected. We fail to understand why the required transparency with regard to missing persons and stolen property cannot be achieved through cooperation with the United Nations.

Paramount among Norwegian concerns is the humanitarian situation of the Iraqi people. We remain dismayed by the dire living conditions of various segments of the civilian population. It would be too simple to attempt to identify one single reason for these difficult living conditions and health problems. There are various reasons for this situation. Nevertheless, we all have solid evidence not only on the usefulness but also of the necessity of the humanitarian programme in Iraq pursuant to resolution 986 (1995). Therefore, it is a matter of particular concern that $2.2 billion of the funds destined to meet these humanitarian objectives remain unused in the United Nations escrow account.

It would be naïve to claim that full utilization of the oil-for-food programme would by itself solve all the outstanding issues related to the development of the social and economic infrastructure in Iraq, and we are not doing so. However, the Iraqi authorities bear the main responsibility for utilizing all means put at their disposal by the United Nations to meet urgent needs. Moreover, they must ensure budgetary priorities and take other appropriate measures to accommodate these needs.

Norway attaches great importance to a humanitarian cash component under the humanitarian programme in order to allow for the purchase of locally produced goods and thus stimulate development of local resources. Needless to say, our primary wish remains, however, full Iraqi cooperation with the United Nations, leading to an end to sanctions, and thereby allowing for a normalization of the economy. Security Council resolution 1284 (1999) remains the overall framework and stipulates the conditions for the lifting of sanctions against Iraq.

Pending the cooperation we all hope for, and which so far has not been forthcoming, we find on our part that it would be irresponsible not to engage in a result-oriented and concrete attempt to revisit how current sanctions work. It is our collective responsibility to make a thorough assessment of current practices and consider how they could be improved.

Drawing on my own experience from chairing the Security Council Committee established by resolution 661 (1990), I think I have all members with me in saying that certain immediate improvements and changes are called for in the handling of imports of goods into Iraq. This has also been highlighted by the Secretary-General in his latest report dated 18 May 2001 (S/2001/505) on the implementation of the oil-for-food programme. We should heed his call to Council members to ensure a more effective implementation of the programme. This can be achieved by doing away, as far as possible, with certain cumbersome and time-consuming procedures involved in today's practice.

We believe that the focus of the Committee should be solely on items which represent a military-related threat or clear dual-use risks. We would welcome significant simplification and streamlining of procedures towards this objective.

Such a step requires the adoption of a list of goods to scrutinize, a so-called goods review list. I believe it is important to note here that such a notion, although new, reflects the fact that, in reality, we have already had a comprehensive control list for 11 years. With the exception of a few items that have been fast-tracked, the overwhelming majority of items destined to Iraq have been undergoing the scrutiny of the sanctions Committee. We all know how cumbersome and, in my view, unnecessary such an approach can be. More importantly, it can lead to unwanted obstacles to the flow of important items. Limiting the scope of control by the sanctions Committee to potentially sensitive items by leaving all other items aside is, in our view, plain common sense.

Moreover, Norway is in favour of the increased involvement of Iraq's neighbouring States in upholding effective United Nations measures and thus of sending a signal of renewed unity from the international community to Iraqi authorities. At the same time, their legitimate concerns need to be taken into full account. In exploring ways to enhance United Nations controls, we should be guided by a thorough analysis, in close consultation with the States concerned.

By the unanimous adoption of resolution 1352 (2001), the Council is faced with both the challenge and the responsibility of reforming the implementation of the humanitarian programme. This is the main task that we have undertaken to do by 3 July.

In summing up, the basic issue before us today is the following choice between two alternatives: either we seize this opportunity to radically simplify and promote the flow of everyday civilian goods into Iraq, thereby establishing beyond any doubt that the international community is giving paramount importance to humanitarian concerns, while keeping sensitive goods under control; or we preserve the status quo. This appears in reality to be the only other option. A continuation of the current state of affairs would mean carrying on with a cumbersome and time-consuming scrutiny of almost all goods destined for Iraq. Such a course of action would be contrary to the interests of the Iraqi civilian population.

The choice is clear. We must seize the opportunity before us and mark a clear departure from the status quo.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): This debate is taking place as the Security Council is conducting negotiations to make some changes in the oil-for-food programme. As members of the Security Council, we are aware of the responsibility delegated to us by the other Members of the United Nations in order to represent them in this important organ, entrusted with the maintenance of international peace and security. Thus, we feel it appropriate that, on certain occasions such as this, the Security Council take into account the views of other Members of the United Nations before adopting decisions on highly important issues.

The first point we wish to make is that this matter appears on the agenda of the Security Council precisely because of its impact on international peace and security. That is why the Government of Iraq is subject to the sanctions regime.

The oil-for-food programme was adopted by the Security Council as a provisional measure to alleviate the humanitarian needs of the Iraqi people affected by the sanctions regime. The most recent report of the Secretary-General on this topic, in document S/2001/505, concludes that, despite the limitations and difficulties that have restricted the effective implementation of the oil-for-food programme, it has contributed not only to arresting the decline in but also to improving the living conditions of the average Iraqi in many cases.

The report also highlights aspects of the humanitarian programme where improvements could be made to enhance its functioning. These include extending the so-called "green lists" to other sectors in order to include all kinds of articles, except for those referred to in resolution 1051 (1996); simplifying the plan of distribution and making it more flexible; reducing the large number of applications, that remain on hold; and defining with greater precision the elements considered to be of dual use. From these and many other aspects, it is clearly possible to make improvements in the oil-for-food programme, which should have a positive impact on the humanitarian situation of the Iraqi people. However, in order to ensure the proper functioning of the programme, the Government of Iraq must cooperate. As the Secretary-General indicates,

> "It is essential for the Government of Iraq to prioritize its contracting, giving particular attention to the food, health and nutrition sectors". (*S/2001/505, para. 132)*

He also mentions the need to avoid delays in the submission of applications and to expedite the issuance of unopened letters of credit for already approved applications.

During its informal revision of the sectors of contracts on hold, the Office of the Iraq Programme reiterated the need for members of the sanctions Committee that are placing contracts on hold to be more clear as to the criteria for such an assessment and more clearly to identify the elements they consider problematic for export to Iraq. In this vein, the so-called "goods review list" proposed by the United Kingdom will shed further light on the elements to which the international community believes Iraq should not have access if it is to be prevented from rearming.

The least that can be expected from members of the Security Council is that we comply with our own resolutions. Accordingly, and taking into account the agreement in resolution 1352 (2001), the members of the Security Council are currently considering various proposals to enhance the functioning of the oil-for-food programme. Under the coordination of the United Kingdom, meetings of experts have been held concerning the text of a draft resolution and an annex of proceedings. These consultations of experts have been useful and considerable progress has been made. We hope that all delegations will participate constructively with a view to drafting a consensus text in the coming days. Only in that way will we be complying with our own resolutions.

Sanctions are not an end in themselves. They are simply a tool of the Security Council in the maintenance of international peace and security. We should not forget that, as such, they are an alternative to the use of force. In this case, it is important for the Government of Iraq to have a clear understanding of what the international community expects from it, including guarantees for regional security, before sanctions are lifted. That is why a decision allowing the necessary changes to be made in the oil-for-food programme, acceptable to all members of the Council and in conformity with the spirit of resolution 1352 (2001), would help to create consensus between the Security Council and Iraq, thus leading to the lifting of sanctions.

Mr. Kuchinsky (Ukraine): First of all, my delegation would like to express its profound gratitude and appreciation to you and to the delegation of the Russian Federation for convening this important open meeting of the Security Council in a timely manner.

The humanitarian situation in Iraq remains one of the most critical problems before the Council and continues to be a focus of its attention. Consistent and purposeful efforts undertaken by the Council and the Office of the Iraq Programme to enhance the effectiveness of the humanitarian programme have made it possible to improve the humanitarian situation in Iraq and to alleviate the critical situation in some sectors.

As was correctly noted by the Secretary-General in his report to the Council of 18 May 2001 (S/2001/505):

> "Over the past four years, the humanitarian programme has contributed not only to arresting the decline in but also to improving the living conditions of the average Iraqi."

At the same time, the Secretary-General notes further that "the achievements ... should not lead us into a sense of complacency." In this room we have repeatedly heard the view that the oil-for-food programme will not lead us to a comprehensive solution of the humanitarian crisis in Iraq; decisive measures by the Council are needed based on a completely new approach to the implementation of the humanitarian programme.

Just over a month ago, before the end of another regular phase within the humanitarian programme, the Council began very important work that, in our view, has far-reaching consequences and is aimed at developing new arrangements for its implementation.

In its resolution 1352 (2001) of 1 June, the Council expressed its intention to consider new arrangements that would significantly improve the flow of commodities and products to Iraq and would facilitate civilian trade and economic cooperation with Iraq. Today nobody has any doubts that this work should bring about serious changes in the functioning of the programme, which in turn should lead to drastic changes in the humanitarian situation in the country. It is in the context of these considerations that my country views the tasks facing the Council with regard to formulating a draft resolution that would lay the foundation for the future phases of the humanitarian programme.

It is exactly from this standpoint, from the viewpoint of the humanitarian challenges and security tasks facing the Security Council in Iraq, that we have been considering the draft resolutions submitted by the United Kingdom and France and that we will consider the draft resolution introduced by the Russian Federation.

We sincerely hope that today's discussion will help us address the current situation in the most comprehensive manner and hopefully find ways to solve the existing problems.

To change the status quo and improve the humanitarian situation the Council should reconsider the mechanism currently in place, which regulates the sale or supply of commodities to Iraq. We believe that a rule of the type everything is permitted that is not prohibited is the right approach to the problem, but this requires that the Council ensure that everything banned for supply to Iraq is thoroughly itemized and specified. Only such an approach will allow the Office of the Iraq Programme and the United Nations Monitoring, Verification and Inspection Commission to process Iraqi contracts more efficiently.

Although we are legitimately concerned over the possible uncontrolled use of dual-purpose goods, especially when an effective international monitoring mechanism in Iraq is not in place, we must, nevertheless, thoroughly weigh all the possible consequences of approving a control list of goods to deal with the contracts put on hold. In his reports the Secretary-General has repeatedly given examples of how seriously the practice of putting contracts on hold affects fulfilment of the tasks within the Iraq Programme.

If we ignore these concerns, the problem will relentlessly plague us by reducing to nothing all our efforts to improve the humanitarian situation in Iraq. We are convinced that this problem should be taken into account in the process of adopting the Goods Review List. The Council should provide for approval of contracts that include goods from this list as key elements without which the contract becomes useless. To this end, it is necessary to put in place United Nations mechanisms to monitor the end use of these goods within the limits determined by the contracts.

We also think it necessary to create appropriate conditions for the economic restoration of the country that can provide a basis for self-reliant development and generate additional resources needed primarily to meet civilian needs of the Iraqi people. In this regard, we support the provisions that would make it possible to attract foreign investments, primarily in the oil sector of the country's economy, and to render various services in the process of implementing programmes and projects. Besides, utilization of the so-called "cash component" in all sectors in Iraq in accordance with the resolution 1330 (2000) will also contribute to drastically changing the humanitarian situation and revitalizing the national economy.

The issue of ensuring Iraq's cooperation in implementing the decisions taken by the Security Council is a separate matter. Our delegation has consistently called upon Iraq to cooperate with the Council as a precondition that could lead to lifting of the sanctions. We still maintain that Iraq's compliance with the provisions of Security Council resolutions, and in particular resolution 1284 (1999) related to the establishment of the international inspection mechanism, could be a concrete step leading to the lifting of sanctions. At the same time we cannot ignore concerns expressed by a number of delegations over the ambiguous character of some provisions of that resolution. It is obvious that Iraq's cooperation could be ensured by making its voice and its concerns heard and taken into account in an impartial manner by the Council.

We think that a continuation of the dialogue between the United Nations Secretary-General and Iraq that began in February 2001 has a special role to play in this regard.

The fact that we discuss the Iraqi issue in this format today, together with non-members of the Council, proves once again that finding a solution to this problem is not an exclusive prerogative of Council members. It generates legitimate concerns among neighbouring States and States that are far from the region. It is of great importance to take into consideration the views and concerns of those countries and to provide for their participation in developing the Council's new approaches. When doing this, we should be guided by the principle that cooperation between those States and Iraq should, by all means, be preserved.

The Council should have a clear understanding of the extent to which the measures it is going to introduce can be implemented. It should also make sure that those measures represent a step forward and not lead to another impasse in dealing with the Iraqi issue. To achieve this, it is important that they be supported by the countries of the region and should help ensure Iraq's cooperation in their implementation.

Mr. Neewoor (Mauritius): We thank you, Mr. President, for holding this important meeting at the request of Ambassador Lavrov of the Russian Federation, whom we also thank.

The Gulf War of 1990 was short-lived and ended swiftly with Iraq withdrawing its invading forces from Kuwait under overwhelming military and political pressure from the international community. Today, ten years later, that war continues to cast its long shadow over peace in the Gulf and in the Middle East region. The outcome of the war was clear from the very beginning. It was a reminder to all of us that the days of achieving territorial ambitions through military ventures are long over, and that the international community will never condone any such pursuit by any nation. The invasion of Kuwait was an act that seriously violated the fundamental principles of the United Nations Charter. The robust reaction by the international community to end the invasion was fully justified.

Unfortunately, the consequences of the war have been terrible for the Iraqi people. Imports into their country take place under the sanctions regime imposed by the United Nations with the aim of controlling Iraq's acquisition of materials that may be used to produce weapons of mass destruction. Its oil exports today are restricted with a view to monitoring its revenues and expenditures for the same purpose. The sanctions also require the inspection of the military production facilities in Iraq to ensure that its capacity to produce nuclear and other weapons of mass destruction is fully terminated.

The implementation of the sanctions require the full cooperation of the Government of Iraq in order to ensure that the purposes of the sanctions are met without unduly hurting the Iraqi people. I must add here that the sanctions regime in itself may not be perfect, but through a process of constructive dialogue with the Security Council, Iraq can have the imperfections addressed.

However, regrettably, implementation of the sanctions has always been a rough ride, mainly because of inadequate dialogue. This is clearly evident from the fact the oil-for-food programme, designed to facilitate availability of essential goods and services, has never been a smooth operation, resulting in continued scarcities of food, medicines and other commodities with devastating effects on the people of Iraq. A terrible humanitarian situation has unfolded in Iraq over the years due to the enforcement of the sanctions regime. At the same time, due to a lack of cooperation on the part of Iraq, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) is prevented from carrying out its inspection work inside Iraq in fulfilment of its mandate under Security Council resolutions.

The present stalemate cannot be allowed to go on. The humanitarian situation has been bad enough for a long time and has assumed such serious proportions that the international community cannot remain indifferent to it any longer. In recent months there has been a growing demand from international public opinion for a relaxation of the sanctions against Iraq. In the Security Council, too, many members, including Mauritius, sensitive to the sufferings of the Iraqi people, have been calling for new initiatives that can engage Iraq in a positive dialogue, so that the present stalemate may be broken.

On his part, the Secretary-General has made every possible effort in this regard. We have welcomed the review process undertaken in Washington, D.C. and London with a view to bringing about a relaxation of the sanctions against Iraq. My delegation has also been contributing to the discussions at the level of experts of the Security Council, aiming to evolve the package that would ease the sanctions against Iraq but, at the same time, not absolve Iraq totally from honouring its responsibility under the relevant Council resolutions. This important work must continue.

We take this opportunity to urge Iraq to respond to the efforts of the international community to ease the sanctions to which it is subjected and to take some concrete steps of its own as a reciprocal action. We believe that as a first step in this direction, Iraq should resume cooperation with UNMOVIC and allow the designated inspectors to do their work inside the country. It is our considered view that Iraq has no need for nuclear and other weapons of mass destruction. Iraq should not find it difficult to reassure the international community that it has no designs in this regard. Last but not least, Iraq must, once and for all, close its painful chapter in relation to Kuwait, by showing full respect for the sovereignty and territorial integrity of the State of Kuwait and returning its historical and cultural heritage, including Kuwaiti archives, as well as repatriating missing Kuwaiti persons.

This meeting is taking place at a crucial juncture of the important question of Iraq at the United Nations. My delegation hopes that our discussion will be dispassionate and focused so that, in the end, the Security Council is helped in the search for a pragmatic way forward on the difficult issue of Iraq.

Mr. Kassé (Mali) (*spoke in French*): The Security Council is meeting today to consider the humanitarian situation in Iraq, following a request by the Russian Federation. My delegation is grateful to you, Mr. President, for finding the ideal format for this important meeting. I would also like to extend my delegation's thanks to the Office of the Iraq Programme, which, with dedication, is doing the bulk of the work on implementing this humanitarian programme. Mali is deeply concerned with the humanitarian situation in Iraq, which deserves careful consideration, as it is receiving today.

Information provided by the Secretary-General through his regular reports to the Council show that over the last four years the oil-for-food programme has helped to halt further deterioration in the living conditions of average Iraqis and has improved living conditions in some cases, and that the programme's humanitarian nature should be preserved. We concur with the Secretary-General on these conclusions. That is why we believe everything possible should be done to attain all the humanitarian goals of the programme.

Here, we would join the Secretary-General in calling on the Iraqi Government to give priority to meeting the essential needs of its people by increasing imports of food and of health and medical supplies. My delegation regrets that no request for the purchase of such products has been submitted to the sanctions Committee during phase IX of the programme, despite the accumulation of a substantial amount in the escrow account.

The food and health situation in Iraq is particularly unacceptable. The caloric intake among children is very low, and the nutritional goal set in the distribution plans is far from being met.

Given that situation, the Council must take steps to ease the devastating impact of the sanctions on the civilian population. In that connection, my delegation reiterates its great concern at the excessively high number of contracts kept on hold by the Committee established by resolution 661 (1990). We agree with the Secretary-General that this is one of the main obstacles to proper implementation of the humanitarian programme. That is why my delegation welcomes the Secretary-General's recommendation to broaden the green lists in various sectors to include all items except those covered in resolution 1051 (1996). For its part, the sanctions Committee should step up its efforts diligently and speedily to consider applications for contracts so as to reduce significantly the number of holds.

Mali welcomes the new sanctions regime that the Council is discussing because it aims to ease the harmful effects of 11 years of sanctions on the civilian population. It would remove constraints on the import of goods for civilian consumption and basic necessities, on the principle that everything that is not explicitly forbidden would be authorized. The reverse principle now in use is the reason for the excessively high number of contracts kept on hold by the Committee established by resolution 661 (1990).

But in our view there are several shortcomings in the new regime. The first relates to United Nations control of Iraq's resources through the maintenance of the escrow account and to the need for the rehabilitation of the country. Thus, we support injecting cash from oil sales into the local economy — the "cash component".

Here, we support the arrangement proposed by the team of experts established pursuant to paragraph 15 of resolution 1330 (2000). The Iraqi oil industry still faces considerable constraints of all kinds which, if nothing is done, could result in a drop or even a collapse in crude oil production.

Beyond the oil sector, the cash component ought to be extended to other sectors in Iraq, because, as the Secretary-General notes in his report (S/2001/186), in some sectors of the population, because of the sanctions, poverty is widespread; some Iraqis are often forced to barter what they receive through the food basket in order to procure other basic necessities.

To ensure the economic reconstruction of the country, the draft resolution should cover services and investments, which are essential to economic recovery and to rebuilding the country's entire infrastructure. My delegation fully supports the provisions relating to the humanitarian situation, and considers that the text's new provisions, if fully implemented, will help ease the suffering of the Iraqi people. In that connection, we hope that the Iraqi Government will react positively, will cooperate with the United Nations, and will seize the opportunity being provided.

Let me assure the delegation of the Russian Federation that my delegation is willing to study carefully the text of the draft resolution it submitted this afternoon just before this meeting.

I cannot fail to mention another aspect of the humanitarian situation. It is not directly related to today's debate, but it is of importance: it concerns part B of resolution 1284 (1999), which obliges Iraq to facilitate the repatriation of all Kuwaiti and third country nationals or the return of their remains if they are deceased. For the past 11 years, more than 600 families have been living in torment, and they continue to suffer. Moreover, Iraq has failed to account for property seized in Kuwait, including the national archives, which represent the memory of the country. Kuwait thus remains traumatized by the 1990 invasion.

Mali calls on Iraq to cooperate with Mr. Yuli Vorontsov, the High-level Coordinator for Iraq, whose work we support, so that he can carry out his task and so that this sad situation can come to an end. This is a major humanitarian issue on which true consensus exists in the Council. We therefore call on Iraq to meet its international obligations, to continue to participate in the work of the Tripartite Commission and the Technical Subcommittee, and to cooperate fully in order to resolve these problems once and for all.

The President: I should like to inform the Council that I have received a letter from the representative of Qatar, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Khal (Qatar) took the seat reserved for him at the side of the Council Chamber.

Mr. Ryan (Ireland): My delegation is very pleased to have this opportunity to hear, in open format in the Council, the views and concerns of so many delegations on this issue of such importance to us all. The Irish Government has consistently made clear its grave concern at the humanitarian situation in Iraq. When comprehensive economic sanctions were imposed on Iraq by resolution 661 (1990), almost 11 years ago, it was not anticipated that they could possibly last so long.

When they were reaffirmed by resolution 687 (1991), the conditions for their suspension were clearly established. That they have still not been fulfilled 10 years on, even as modified by resolution 1284 (1999), is a matter of utmost regret to the Irish Government. It is regrettable because without their fulfilment, the objective of restoring international peace and security in the region cannot be considered to have been achieved. It is regrettable also because of the effect that the long-term comprehensive economic sanctions have had on the people of Iraq, most of whom had nothing whatever to do with the decisions taken by the Iraqi authorities that led to the imposition of sanctions.

The international community and the Security Council, acting on its behalf in the area of international peace and security, have a responsibility to ensure that the measures they adopt do not prevent the people of the country under sanctions from obtaining the necessities of life. That was acknowledged in resolution 661 (1990) itself, which permitted the supply of medicines, and of foodstuffs in humanitarian circumstances. Because it was realized pragmatically that the disarmament process would require some time, the Council, in resolution 687 (1991), calibrated the sanctions regime established by resolution 661 (1990), lifting the prohibitions on foodstuffs, and establishing a no-objection procedure for essential civilian needs.

That process was continued in resolution 986 (1995), with the establishment of the oil-for-food programme. It was developed further in successive resolutions, including in resolution 1284 (1999), which lifted the cap on the amount of oil that Iraq can sell.

The arrangements envisaged in resolution 1352 (2001), therefore, do not represent anything radically new. The Council has for a considerable time recognized that the longer the sanctions continue, the more the sanctions regime must be adjusted in the interests of the people of Iraq and concentrated more and more on their primary objective.

It is now time to take a further step, and to acknowledge the need, after 11 years of sanctions, to allow the people of Iraq to recover their national economy and life, while maintaining the controls necessary to ensure that the Government of Iraq does not further develop weapons of mass destruction and does not acquire the means of again threatening Iraq's neighbours, pending the fulfilment of its disarmament obligations in line with the Council's resolutions.

My delegation considers the approach now envisaged on the basis of resolution 1352 (2001) to be a promising one that would improve significantly the flow of commodities and products to Iraq, while maintaining the necessary controls.

However, the development and prosperity of a people do not depend solely on the supply of commodities. They also depend on modern infrastructure — roads, railways, telecommunications, medical facilities, water and sanitation systems. We must ensure that nothing in the measures that we adopt, or in the way we apply these measures, prevents the development of Iraq's normal economic infrastructure.

In this context, it is important that the list of goods that would be reserved for review by the Iraq sanctions committee under the envisaged system is as short and as precise as possible. Furthermore, any contract containing an item on the list must be carefully reviewed from the point of view of its overall economic and infrastructural importance.

The new arrangements that the Council envisages are intended, in the words of resolution 1352 (2001), for the facilitation of civilian trade and economic cooperation with Iraq in civilian sectors. Before the Gulf War, Iraq had vigorous international economic relationships, and international service contracts were important in many sectors of Iraq's economic life. Such contracts should again be permitted and appropriate arrangements made for authenticating them and for paying for them from the escrow account.

However, the people of Iraq will never achieve the level of development and prosperity to which the natural wealth of their country entitles them without access to foreign investment. The longer they must do without the resources and expertise that foreign investment can make available, the longer development in real terms will be put off.

None of this is to deny the responsibility of the Iraqi authorities to take the steps clearly open to them to secure their people's future. In particular, they must devote the necessary priority to the education and health sectors. The neglect of these sectors can not be laid fully, or even mainly, at the door of the sanctions regime. Every administration has the primary domestic responsibility for these sectors, and citing the sanctions regime as an excuse is not a posture that impresses the international community.

My delegation has no interest whatever in the perpetuation of sanctions. We are committed at any time to act on the suspension and lifting of sanctions on Iraq to the extent that the necessary conditions are fulfilled. We can perhaps consider these conditions, but the Iraqi authorities also have a big step to take in the direction of the Security Council. When they are prepared to take that step, we will be ready. In the interim, however, we have a duty to the people of Iraq. The strong sense of that duty underpins our approach to the draft resolution under consideration and our approach to the detailed work in the area of reserved goods lists.

Ms. Lee (Singapore): Today's debate is timely. It has been 15 months since the Council last reviewed the developments in the situation between Iraq and Kuwait in this Chamber. The Security Council is also presently engaged in discussions on new arrangements to facilitate the flow of goods and commodities into Iraq and other types of economic cooperation with Iraq in the civilian sectors.

Security Council resolution 661 (1990) was adopted 11 years ago. The impact of its measures has been too broad in Iraq. The innocent people of Iraq have borne the heaviest burdens of Iraq's continued economic isolation, while the Government continues to defy Security Council resolutions and has succeeded in recasting its international image from a belligerent to a victim. Furthermore, after more than a decade, Kuwait continues to be deprived of the sense of closure on this issue that the return of key Kuwaiti property and Kuwaiti nationals and their families seized by Iraq could bring.

The oil-for-food programme, which the Council enacted in 1996 to bring need relief to the Iraqi population without compromising the objectives of resolution 687 (1991), has evolved over the years. It has contributed to improvements in key economic and infrastructure sectors in Iraq, such as the oil industry, electricity, agriculture, water and sanitation, education, housing, transportation and telecommunications. But, rightly or wrongly, the growing perception is that the programme has not done enough to help ordinary Iraqis and has not been effectively implemented. Many have argued that the programme has not made much of a dent in arresting the deterioration of the Iraqi economy and alleviating the humanitarian situation in Iraq.

In the meantime, the unchecked smuggling of Iraqi oil through Iraq's borders and the levying of illegal oil surcharges by the Government of Iraq have generated substantial revenues for the Government outside of the escrow account. This has further conspired to undermine the credibility of the United Nations policy in Iraq. The erosion of support for the programme and United Nations sanctions is also fuelled in part by the existence of sharp differences within the Security Council on this issue. As a result, we have witnessed challenges to the United Nations Iraq policy in the last several years. We agree with Ambassador Lavrov, who pointed out at the beginning of today's debate — as did subsequent speakers — that the status quo is unacceptable.

Against this backdrop, the unanimous adoption of Security Council resolution 1352 (2001) on 1 June 2001 assumes great significance. It signals the intention of the Security Council to adopt and implement new arrangements that would modify the Iraq programme in a significant way. The proposed new arrangements will free the flow of legitimate civilian goods and commodities to Iraq, which will significantly improve the welfare of the Iraqi people. Only exports of items on a limited list of goods that would compromise items expressly prohibited under previous resolutions and other items that could be deployed in ways that are inconsistent with resolution 687 (1991) would be subject to review by the 661 sanctions committee.

The new arrangements will also address in a pragmatic way the problems of cross-border smuggling and oil surcharges, as well as clarify a few long-standing issues arising from the implementation of the sanctions policy, including arrangements that would authorize the return of Iraqi civilian aircraft and remove common restrictions on civilian flights to Iraq. Iraq's neighbouring States have expressed their concern over the implications of the proposed new approach on their economic well-being.

We support efforts to consult them and obtain their cooperation. We are confident that arrangements can be worked out that would adequately take into account their special needs and circumstances within the framework of existing Security Council resolutions. We would like to emphasize the point made by Ambassador Cunningham that the Council does not seek to impose any arrangements on the neighbouring countries of Iraq against their will.

We have a unique opportunity to make substantial improvements in the Iraq humanitarian programme and more generally in the United Nations sanctions policy in Iraq. For this to take place, it is important that the international community, and the Security Council in particular, unite behind such efforts. There remain many outstanding issues in current efforts to develop the new arrangements, including the contents of the goods review list and provisions relating to the arrangement with the neighbouring countries and the scope of economic activities that should be permitted under the new arrangements. Ambassador Levitte has earlier eloquently listed these issues.

We should bear in mind that the Council is embarked on a project to refocus its sanctions policy with respect to Iraq that requires striking a delicate balance between two objectives. They are increasing the effectiveness of sanctions to compel Iraq to comply with all relevant resolutions, on one hand, and ensuring that the measures will not impose unduly onerous burdens on the Iraqi population and the neighbouring countries, on the other.

Complications are therefore quite natural. But if the discussions in the Council are conducted in good faith, and in a genuine spirit of cooperation, we should be able to resolve outstanding differences within the time-frame envisaged in resolution 1352 (2001). That is what is expected of the Council. We may never resolve the different views we have on the cause and effect of the humanitarian situation in Iraq. Neither will we agree completely on how far the Council should go to dismantle aspects of the sanctions policy to achieve the humanitarian objectives without weakening our leverage to get Iraq to comply with all Security Council resolutions, including resolution 667 (1990) and 1284 (1999). But we should see such efforts as part of a process.

This is not the first time that the Council has reviewed the implementation of the Iraq programme. We should recall that since the adoption of resolution 986 (1995), the Council has adopted a series of follow-up resolutions. They are resolutions 1153 (1998), 1284 (1999) and 1302 (2000). These were to expand and improve upon the Iraq programme. The ongoing discussions in the Council on the new arrangements are therefore parts of that evolutionary process to focus the impact of the sanctions, a process that began a few years ago. But for this process to be effective and positive the Council needs to do this incrementally and, more importantly, together, taking into account at the same time the views of the larger international community.

Miss Durrant (Jamaica): Let me join others in thanking you, Mr. President, for convening this open meeting to discuss issues related to the agenda item "The situation between Iraq and Kuwait". We consider this a very important meeting, as this will allow the Security Council to take into account the views of non-members before taking decisions that all the Member States of the United Nations will have an obligation to implement.

When the Council last March held an open debate on the humanitarian situation in Iraq, Council members expressed concern about the plight of the Iraqi people and welcomed the recommendations put forward at that time by the Secretary-General. The Council has since taken a series of actions to improve the oil-for-food programme, in addition to removing all quota restrictions on the quantity of oil authorized under the programme, which resulted from the adoption of resolution 1284 (1999). Having removed the ceiling for oil exports, we also recognized the constraints posed by the lack of capacity inherent in the deteriorating state of the oil industry of Iraq. Jamaica, like other members of the Council, advocated an increase in the amount of money to be made available for oil spare parts and equipment. The Security Council responded favourably by increasing substantially the amount of money made available for this purpose.

There remained, however, a problem with the holds placed on certain items, which made the approval of the increase in expenditure somewhat meaningless. Jamaica joined others in the Council to urge those countries placing those holds to ease them. While many of these holds have been removed, much more needs to be done to increase and improve the flow of goods and services to the oil industry.

Jamaica also supported increased expenditure on areas critical to the socio-economic well-being of the Iraqi people, particularly in the health and education sectors, as well as the removal of all impediments to the import of goods and services earmarked for these sectors. We supported the call for expenditures targeted on Iraq's infrastructure, particularly on water and electricity. We shared the belief that the long-term damage to Iraq's development should be ameliorated.

We must, however, express our regret that the Government of Iraq has not taken full advantage of the funds available in the oil-for-food programme, and that the people of Iraq are not deriving the full benefits from it. At the same time, Jamaica has consistently stated in the Council that sanctions regimes must be focused, effectively targeted and of limited duration. We have also emphasized that sanctions must be designed in such a way that the civilian population is not made to suffer for the intransigence of its leaders. For this reason, Jamaica supports the current efforts being undertaken in the Security Council to modify the sanctions regime so as to alleviate the suffering of the Iraqi people.

Jamaica is cognizant of the concerns expressed by States neighbouring Iraq that the changes being contemplated could cause disruptions to their economies. Their legitimate concerns must be taken into account in our deliberations.

In this review many difficult issues remain to be resolved. For that reason, Jamaica would have been prepared to support a period longer than the month's extension of the oil-for-food programme adopted under resolution 1352 (2001). Nevertheless, we believe that, given the requisite political will, appropriate solutions can be found to reduce significantly the effect of sanctions on the people of Iraq, while preventing Iraq from acquiring the ability to threaten its neighbours and the international community.

In this regard, we call on the Government of Iraq to cooperate fully with the United Nations, to comply with Security Council resolutions and, through verification, to prove to the international community that it no longer possesses the ability to produce weapons of mass destruction. Iraq, we believe, must allow the United Nations Monitoring and Verification Commission (UNMOVIC) to carry out the tasks assigned to it. UNMOVIC stands ready to engage Iraq in the inspection and verification process. It is up to the Government of Iraq to act.

Finally, we call on the Government of Iraq to abide by all relevant Security Council resolutions with respect to Kuwait. We urge Iraq to cooperate with special envoy Vorontsov on the issues of missing Kuwaiti and third-country nationals and to return Kuwaiti cultural property.

As we consider the proposals presented by various members of the Council, my delegation will be guided by the determination to improve the socio-economic conditions of the Iraqi people, while seeking to ensure that Iraq's neighbours and the region can enjoy peace, security and prosperity.

The President: I shall now make a statement in my capacity as the representative of Bangladesh.

The 11-year-long comprehensive sanctions imposed on Iraq have been at the centre of an intense debate in the United Nations and also in the international community. The strict control on Iraq's imports and exports has resulted in a steady decline in the living conditions of the Iraqi people. It is doubtful whether the objective of alleviating the distress of the people of Iraq through the oil-for-food programme has been fully achieved. It is therefore incumbent on the United Nations, as well as on the world community, to seriously examine the situation in Iraq, taking a comprehensive approach and focusing particularly on the humanitarian condition of the people of Iraq.

In March 2000, during its first presidency of the Council, Bangladesh took the initiative of holding an open debate on Iraq. This finally, after many years, afforded the wider membership of the United Nations an opportunity to focus on the plight of the Iraqi people, as well as on other relevant issues, particularly that of Kuwaiti missing persons. For the second time during a Bangladesh presidency, we believe, a welcome opportunity is being provided to address the situation in Iraq, in particular the devastating effect of the sanctions on the life of the people of Iraq.

The oil-for-food programme was designed to alleviate the humanitarian situation in Iraq. Although Iraq accepted the programme, it has serious reservations on provisions that it thinks impinge on its sovereignty and national independence. Multiple problems relating to the implementation of the programme are perhaps rooted in this perception. It is for this reason that many, including some Council members, have been underscoring the need for a comprehensive approach in addressing this issue.

The most comprehensive framework so far for the United Nations policy on Iraq is provided in Security Council resolution 1284 (1999). Yet it is deficient in not indicating clearly a pathway towards the suspension and final lifting of the sanctions.

We believe that sanctions regimes should clearly define the modalities for the lifting of sanctions. That only makes them credible. As a number of speakers have said, the current deadlock in the situation must not be allowed to continue. Council members must make a serious effort to address these issues — issues that have been giving rise to problems in the implementation of the Council's resolutions.

To make the current exercise on negotiating the draft truly comprehensive, all issues of concern, including Kuwaiti missing persons and the return of Kuwaiti property, should be addressed. In doing so, the Council should be mindful of the fact that Iraq has rejected resolution 1352 (2001), which provides for the broad principles guiding new arrangements. Making the adoption and implementation of these new arrangements contingent on the usual rollover of the oil-for-food programme risks jeopardizing it.

Clearly, the cooperation of the Government of Iraq, as well as the cooperation of the States sharing borders with Iraq, is a key factor in the implementation of these arrangements. Questions of their sovereignty, economic interests, additional burden and so on, enmeshed in legal issues, have critical significance. It is, in our view, vital to closely consult with those States in order to arrive at suitable arrangements.

The Council cannot be oblivious to the regional political context that surrounds the issue. That calls for a vision beyond the sanctions, a vision to salvage future generations in Iraq. If the Council fails to get the political perspective right, no procedural simplification is likely to bring the desired result. Iraq's involvement in the process is crucial. The international community has the obligation to help Iraq as much as Iraq has the obligation to help itself by cooperating with the United Nations.

That is why we welcomed the dialogue between the Secretary-General and the Iraqi delegation in February this year. It would make sense for the Council, in its current endeavour, to encourage that process.

I now resume my functions as President of the Council.

The next speaker inscribed on my list is the representative of Kuwait. I invite him to take a seat at the Council table and to make his statement.

Mr. Abulhasan (Kuwait) *(spoke in Arabic)*: My delegation is pleased to extend its congratulations to you, Sir, on your assumption of the presidency of the Security Council for this month. We know that your experience and wisdom will serve you well in steering the deliberations of the Council successfully. In addition, you represent Bangladesh, a friendly country that maintains close ties with Kuwait. I should like also to pay tribute to your predecessor, the Deputy Permanent Representative of the United States of America, Ambassador James Cunningham, for his remarkable stewardship of the Council during the past month.

I should like also to thank the Russian Federation for its initiative to convene this meeting, and to thank you, Mr. President, along with the other members of the Council, for agreeing to discuss the humanitarian situation in Iraq and the implementation of the relevant Security Council resolutions. All of these are issues of great importance, and some of them have a direct impact on the security and stability of my country, Kuwait, and of the Arabian Gulf region.

If we are going to start talking about the humanitarian situation in Iraq as being the central theme which has been extensively discussed by the Council for over a month, it is only fair to begin by acknowledging with appreciation the role of the Council and its continuing and tireless efforts to improve the humanitarian situation in Iraq by introducing many improvements to the oil-for-food programme, with a view to enhancing its efficiency in meeting the humanitarian needs of the brotherly people of Iraq.

We in Kuwait fully understand the depth of the Iraqi suffering, simply because of our own bitter experience of anguish during the seven months of our occupation. Therefore, Kuwait has all along expressed sympathy for the suffering of the brotherly people of Iraq. We have translated those feelings of sympathy into every possible form of assistance and aid to individuals in Iraq. Furthermore, we have always called for an end to the suffering of the Iraqi people, pursuant to Security Council resolutions.

The assistance given by Kuwait has not been limited to the aid provided by the Government of Kuwait, but has gone beyond that to include assistance rendered by civilian organizations such as the Kuwaiti Red Crescent Society.

The intensive deliberations undertaken by the Council for over a month in order to mitigate the suffering of the Iraq people attest to the sense of responsibility demonstrated by the Security Council towards the suffering of the Iraqi people. Kuwait therefore welcomes and supports all efforts under way to improve the humanitarian programme with a view to eliminating restrictions on the flow of civilian goods, in order to alleviate the suffering of the Iraqi people.

What is regrettable, however, is that, despite the strict humanitarian nature of the oil-for-food programme, the Iraqi Government, for its part, has not worked to ensure the success of that programme or to ensure benefits from its modalities.

The Secretary-General, in many of his periodic reports on the implementation of that humanitarian programme, highlighted that fact, especially in his most recent report (S/2001/505), in which he underscored the Government of Iraq's laxity in discharging its responsibilities towards its people, as demonstrated in the following areas.

First, the Government of Iraq, at the beginning of phase IX of the oil-for-food programme, deliberately reduced its oil exports, on some occasions suspending them completely, as it tried to commit companies that would buy Iraqi oil to paying illegal surcharges on every barrel of oil purchased.

The Secretary-General, in paragraph 4 of his report, stated that the reduced rate of export of Iraqi oil resulted in a loss by the humanitarian programme of revenues estimated at $2.6 billion. It is clear that this substantial revenue could easily have been collected and used for the purchase of humanitarian goods for the benefit of the Iraqi people.

Secondly, I wish to note the inordinate and unjustifiable delays in the submission of applications for humanitarian supplies. The Secretary-General, in paragraph 15 of the same report, expressed his deep regret that, as at 14 May 2001 — that is to say, three weeks before the end of phase IX — the Office of the Iraq Programme had not received a single application in the sectors of health, education, water and sanitation and oil industry spare parts and equipment. Paragraph 17 of the report adds that $2.82 billion was still available for new contracts.

Clearly, such delays in the submission of applications for these basic humanitarian necessities — especially medicines and health-care supplies, which are badly needed by the Iraqi people — raise the serious question of the Iraqi Government's indifference to the suffering of its civilian population. Indeed, these delays, if anything, confirm some accounts that the Government of Iraq is exploiting the plight of civilians in order to get the sanctions lifted without committing itself fully to the implementation of the relevant Security Council resolutions.

Thirdly, the Government of Iraq has deliberately delayed, and prevented the granting of entry visas to international personnel working to implement the humanitarian programme, especially in the three northern governorates, with a view to impeding the efforts of United Nations agencies and to stalling the vital projects undertaken by those agencies in the areas of infrastructure development and mine clearance.

In paragraph 134 of the report, the Secretary-General expresses his deep concern over the current visa situation and the negative impact that the interruption in essential activities is having on the humanitarian situation in the three northern governorates. The Secretary-General reiterated his call to the Government of Iraq to issue the required visas expeditiously, in conformity with the relevant provisions of the Memorandum of Understanding.

It is clear that the obstacles placed by the Government of Iraq in the way of the implementation of the humanitarian programme in the northern governorates are aimed only at preventing any improvement in the humanitarian situation in those areas. Indeed, an improvement there would embarrass the Iraqi Government, if compared with the humanitarian situation in the central and southern governorates, which are under its control.

Fourthly, aside from the inordinate delays in submissions of applications by the Government of Iraq, there are unopened letters of credit in the amount of $1.151 billion, as indicated in paragraph 133 of the report of the Secretary-General. The Secretary-General recommended that the Iraqi Government take all necessary measures to expedite the processing of the letters of credit.

Fifthly, the Government of Iraq has, for political reasons, refused to implement Security Council resolution 1352 (2001), which was recently adopted unanimously and which extends phase IX of the oil-for-food programme for a period of 30 days. Without a doubt, this refusal will result in the loss of assured revenues estimated at more than $1 billion at current international oil market prices.

Despite all of the obstacles and difficulties that are impeding the implementation of the humanitarian programme, one cannot ignore the substantial achievements registered by the United Nations since the inception of the programme in December 1996. The value of the humanitarian supplies received by Iraq exceeds $11.1 billion, and there are humanitarian supplies in the pipeline estimated at $10.36 billion, which have been approved and are due to arrive in Iraq.

The Secretary-General, in paragraph 123 of the same report, stated that the programme has contributed not only to arresting the decline in, but also to improving, the living conditions of the average Iraqi. This would have been difficult to achieve without the sincere and genuine efforts made by the Office of the Iraq Programme and the specialized international agencies operating in Iraq. Indeed, the efforts of all international personnel who are implementing this unprecedented programme deserve our applause and appreciation.

It is indeed regrettable that, despite the fact that more than 10 years have elapsed since the Iraqi aggression against the State of Kuwait, the Security Council remains seized of the consequences of that aggression because of procrastination and equivocation by the Government of Iraq, whose aim is to evade implementation of the basic commitments set forth in the relevant Security Council resolutions.

The most important of these commitments, which represent the primary demands by Kuwait vis-à-vis Iraq, are as follows: the first is the question of Kuwaiti and third country prisoners and hostages. This humanitarian issue, which embodies the suffering of hundreds of families who do not know their children's fate, has seen no progress due to lack of cooperation on Iraq's part in the implementation of Security Council resolutions 686 (1991), 687 (1991) and 1284 (1999), all of which, among other things, call upon Iraq to cooperate with the International Committee of the Red Cross (ICRC) and the high-level Coordinator, Ambassador Yuli Vorontsov, who was appointed by the Secretary-General to facilitate the return of these prisoners and hostages.

It is clear that the Government of Iraq is indifferent to the humanitarian dimension of this issue, because it refuses to resume its participation in the meetings of the tripartite committee and its technical subcommittee, whose meetings it boycotted in January 1998 on the basis of unjustifiable political pretexts despite the humanitarian suffering of those innocent prisoners, their families and loved ones.

Indeed, that attitude does not contribute to the creation of an atmosphere of confidence and serenity among the people of Kuwait. Furthermore, the Government of Iraq has not responded to the repeated calls made in the Secretary-General's periodic reports on this issue, which also urge it to continue cooperating with the International Committee of the Red Cross and Ambassador Yuli Vorontsov. Kuwait believes that Iraqi disregard for the statements given in this context by the President of the Security Council to the press, supporting the remarks of the Secretary-General and lauding the sincere efforts of Ambassador Vorontsov, is further evidence of the fact that it is still bent on creating and maintaining high tensions in our region.

In this regard, we call on the Security Council and the international community to redouble their efforts to convince the Government of Iraq to be more forthcoming and positive in addressing this issue and to resolve the entire matter on humanitarian, religious and moral grounds and in conformity with relevant Security Council resolutions.

We can safely say in all objectivity that there is a firm international consensus, both among members of the Security Council and within the entire community of nations, on the long-standing tragedy of those innocent victims and that the Government of Iraq is responsible for their continued suffering and for restoring stolen Kuwaiti property. The record of the Government of Iraq in dealing with this issue does not essentially differ from its record in dealing with other issues.

The statement issued to the press by the President of the Security Council on Wednesday, 20 June 2001, regarding the question of the return of stolen property is yet another indictment of Iraq and proves that Iraq is in full compliance neither with paragraph 2 of resolution 686 (1991) nor with resolution 1284 (1999). In that statement, the Council expressed its full support for the efforts of Ambassador Vorontsov and endorsed the Secretary-General's report contained in document S/2001/582. It calls on the Government of Iraq to cooperate fully with the high-level Coordinator in order to resolve the matters pending in this file and to restore all property seized, especially the national archives and other official Kuwaiti documents, as well as Kuwaiti military equipment. Kuwait hopes that the Security Council will continue to pay adequate attention to this important question beyond issuing repeated statements, which fall on deaf ears in Baghdad.

Thirdly, Kuwait has often drawn the attention of the Security Council and the Secretary-General to the non-peaceful intentions of the Iraqi Government towards the State of Kuwait and other countries of the region. Those intentions have taken the form of repeated threats to the security and sovereignty of the State of Kuwait. These threats have been made by ranking officials in the Government of Iraq, such as one by Uday Saddam Hussein, member of the Iraqi National Assembly, who called for drawing up a map of Iraq that includes Kuwait as part of that country. Moreover, Iraq has alleged that Kuwait is stealing Iraqi oil in the border region.

Such charges are taken very seriously and carefully assessed in Kuwait. We cannot in any circumstances accept these as statements for domestic consumption only, as some claim them to be, because the security and stability of States are not consumer commodities. Similar accusations were levelled by the Government of Iraq as pretexts for its invasion of the State of Kuwait in August 1990. That is why, in its letter to the Secretary-General and the President of the Security Council, contained in document S/2001/412, Kuwait declared its readiness to cooperate with any impartial body the Security Council may see fit to establish to investigate these Iraqi accusations, which we are fully confident have no basis in truth.

The States of the Arabian Gulf cannot forget what really happened because they had never imagined that it could ever come to pass. Furthermore, the Iraqi political and informational language addressed to the Iraqi people and to neighbouring States in no way helps to reassure us that the catastrophe will never recur or that the Government of Iraq has learned anything from past experience, abandoned its dreams or changed its approach in dealing with its neighbours.

One reason for concern is that this Iraqi policy seeks to create tension and to destabilize the entire region. Instead of responding to the repeated calls of regional and international organizations that it take the necessary steps to demonstrate its peaceful intentions towards the State of Kuwait and other neighbouring countries and that it change its political and informational language with a view to establishing an atmosphere of confidence, Iraq — at the Arab summit held in Jordan last March — rejected the inclusion of a paragraph in the final declaration renewing its commitment to guaranteeing the security and sovereignty of the State of Kuwait. This position was the source of consternation among the Arab leaders and destroyed the consensus on the declaration, although the text reflected all of Iraq's demands, including that for the lifting of the sanctions against it. Thus, no statement regarding the lifting of the sanctions was issued by the Arab Summit because of Iraq's refusal to include such a paragraph. Iraq's position prompted many Arab leaders to assert that it had squandered an opportunity to achieve an unprecedented consensus among them on the need to call for an end to the sanctions.

In closing, Iraq's implementation of all relevant Security Council resolutions is the primary guarantee of the security and stability of our region. Without Iraq's full compliance with those resolutions, this vital region of the world will remain in a state of constant tension. Had Iraq implemented its commitments under resolution 1284 (1999), adopted some 18 months ago, in all probability the sanctions would have been suspended, if not lifted, as has happened to other States subject to a sanctions regime.

Therefore, we call upon this Council to continue its efforts with a collective will and to affirm its unity in its vision and approach. The Council should send a clear, unmistakable message to the Government of Iraq that the Security Council is acting on the basis of its political and legal responsibilities in order to urge that Government to fulfil its obligations.

In this way, Iraq will be able to regain its natural status as an active regional and international member. This would allow the fraternal people of Iraq to make full use of the bounties and resources conferred upon them by God and to enjoy a good life, with the same wealth and potential as the people of all other States of the region.

Our last prayer is to praise our Lord.

The President: I thank the representative of Kuwait for his kind words addressed to me and my country.

The next speaker is the representative of Jordan. I invite him to take a seat at the Council table and to make his statement.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan) (*spoke in Arabic*): Please allow me to warmly congratulate you, Sir, and your friendly country, Bangladesh, on your assumption of the presidency of the Security Council for the current month. I am confident that with your experience and skill the proceedings of the Council will be successfully guided.

I would also like to express my gratitude to your predecessor, Ambassador James Cunningham of the United States, for his impressive stewardship of the Council during the month of May.

It would be remiss of me not to mention Jordan's deep appreciation to Secretary-General Kofi Annan for his tireless efforts, prudent leadership and extraordinary sense of purpose, and for his pursuit of the purposes and principles of the United Nations in order to attain international peace and security.

Today we are discussing the agenda item entitled "The situation between Iraq and Kuwait", and our deliberations take place 10 years after the eruption of the Gulf crisis that was triggered by Iraq invading the State of Kuwait.

Our entire region is still suffering from the severe repercussions of that crisis. Iraq continues to pay a hefty price as a consequence of the comprehensive sanctions imposed upon it that will have an impact on future generations of the Iraqi population in terms of their food, livelihood, health and prospects for economic growth and development. The result is an unprecedented case of civilian suffering.

Jordan has consistently called for an end to the plight and suffering of Iraq and its people. This type of collective punishment, the most severe in the history of the United Nations, did not achieve its declared purposes of consolidating peace and security. On the contrary, those sanctions created conditions that in the long run may endanger the future of the whole region.

Jordan is one of the countries that continue to endure dire economic consequences as a result of its adherence to the relevant Security Council resolutions. Large segments of our economy, including land, maritime and air transportation, manufacturing, agriculture, and labour, continue to incur substantial losses. This, in itself, should prompt work to eliminate the adverse impact on Jordan of the sanctions imposed on Iraq.

My delegation is aware that the Council is currently engaged in consultations aimed at reviewing the policies and modus operandi of the oil-for-food programme that was initiated in 1996 on the basis of the Memorandum of Understanding signed with Iraq to implement Security Council resolution 986 (1995). However, we would like to draw the attention of the members of the Council to the fact that any revised policies elaborated should be viable. They should be implementable and should enjoy the agreement of all concerned, including Iraq, especially given that these policies are based on prior understandings among all parties.

In this context, we would like to emphasize that the parameters for improving the humanitarian conditions in Iraq must prevail over all other considerations. Furthermore, a clear line must be drawn between the policies governing the modus operandi of the oil-for-food programme and the process of calling for the implementation of all relevant Security Council resolutions.

It must be stressed that the Council itself must bear the consequences of any preventive collective measures, as is clearly provided for in Articles 49 and 50 of the Charter, as well as the legal implications thereof. This is all the more so in view of the extremely sensitive circumstances prevailing in the region as a result of the stalling peace process and the spiralling cycle of violence.

Hence, we believe that the Council should carefully and thoroughly examine the implications of any actions to be taken on Jordan and the region, and should act according to its sense of responsibility under the Charter.

In this context my Government has submitted a memorandum to the Secretary-General of the United Nations illustrating the gigantic repercussions that would face Jordan and its economy if the existing agreements governing all aspects of economic relations between it and its primary trade partner, Iraq, are interrupted. These include Jordan's import of all its oil needs from Iraq. Jordan notified the Council of this matter in 1990.

The call for the faithful implementation of relevant Security Council resolutions should respect the preservation of Iraq's unity, sovereignty and territorial integrity and should refrain from any actions that may infringe on these principles. We believe that the only way out of the current crisis lies in the lifting of sanctions imposed against Iraq by the Council, thereby extricating Iraq from this dilemma, and by reviving a comprehensive dialogue between Baghdad and the United Nations in order to settle all the outstanding issues that emanate from Iraq's invasion of Kuwait, including those relating to Kuwaiti and third country prisoners and missing persons, and the maintenance and security of the sovereignty of both Kuwait and Iraq.

The President: I thank the representative of Jordan for his kind words addressed to me and my country.

The next speaker inscribed on my list is the representative of Saudi Arabia. I invite him to take a seat at the Council table and to make his statement.

Mr. Shobokshi (Saudi Arabia) (*spoke in Arabic*): Mr. President, allow me, as my predecessors have done, to congratulate you and your brotherly country on assuming the presidency of the Security Council for the current month. I am confident that your experience and wisdom will successfully guide the deliberations of the Council. We would also like to thank your predecessor, Mr. Cunningham, the deputy representative of the United States, for his outstanding steering of the deliberations of the Council last month.

The Security Council is meeting today to discuss the situation between Iraq and Kuwait and to look into ways of improving the humanitarian situation in Iraq, as well as of implementing all Security Council resolutions related to Iraq and of settling of the situation in the wake of the conflict that beset the Gulf region, as mentioned in document S/2001/597 dated 18 June 2001.

It is no secret to you, Mr. President, or to the members of the Security Council, or to the whole membership of the United Nations, that the Kingdom of Saudi Arabia spares no effort in consolidating security and stability in the Gulf region and in establishing an environment conducive to economic development and fruitful cooperation between neighbouring countries. This is why our relations with all countries are based on good mutual relations, on the principle of non-intervention in the internal affairs of others, and on the peaceful settlement of conflicts. The Kingdom of Saudi Arabia deeply believes in the brotherly bonds binding Arab countries and in humanitarian principles, and is truly keen on achieving and guaranteeing the security and stability of the region through good neighbourly relations and respect of the Security Council resolutions.

This is precisely why we have taken the initiative in proposing a settlement for the situation in Iraq. The Saudi initiative was that of the Committee of Arab Action emanating from the consultative ministerial meeting of the Arab foreign ministers held in Cairo on 28 January 1999 to put an end to the suffering of the Iraqi people. In that meeting, we called for a re-examination of the sanctions regime. We also called for an overhaul of this regime to put an end to the suffering of the Iraqi people by enabling Iraq to import all its basic humanitarian needs, medical supplies, foodstuffs and educational material, without requiring the prior consent of the Council. This would enable Iraq to provide for its basic livelihood in a dignified fashion and would start the necessary economic development process.

On the other hand, Iraq is required to fulfil all its international financial obligations, such as reparations, as well as payments for costs incurred due to the constant monitoring of banned weapons in Iraq. Sanctions should be restricted to the acquisition of arms, military equipment and dual-use materials as stipulated in relevant Security Council resolutions, especially the resolutions relating to the elimination of weapons of mass destruction, be they nuclear, chemical or biological, and of any other military potential that might endanger the sovereignty, safety, security and stability of neighbouring countries. This requires an effective long-term monitoring programme based on a number of checks and balances defined by credible, efficient and neutral international monitoring agencies. This would guarantee the fulfilment of the task in an efficient, impartial manner. The end result of the activity would be the alleviation of the suffering of the Iraqi people and the assurance that revenues would not be used for any other illicit purposes.

Our initiative has highlighted the necessity for Iraq to fully abide by its obligations regarding Kuwaiti and non-Kuwaiti prisoners of war and missing persons, as is mentioned in relevant Security Council resolutions, especially in paragraph 30 of resolution 687 (1991).

Our initiative aims at putting an end to the suffering of the brotherly Iraqi people and to guaranteeing the security, safety and stability of neighbouring countries. Furthermore, our initiative was adopted by the League of Arab States and was rejected by Iraq. Iraq has also rejected the Arab initiative agreed to by the Arab leaders during the Amman Summit, held on 27 and 28 March 2001. It has become abundantly clear to the international community that the continuation of the international sanctions imposed on Iraq is due to policies adopted by the Iraqi Government, such as the non-implementation of some of the major aspects of relevant Security Council resolutions.

The Kingdom of Saudi Arabia feels empathy with the suffering of the brotherly Iraqi people and wishes to highlight its support for putting an end to their suffering, for enabling Iraq to obtain the necessary materials to achieve this goal and for lessening the constraints on civil trade, all in conformity with the resolutions of the Security Council and without affecting the security and safety of neighbouring countries.

We wish also to stress that Iraq must prove its good intentions with concrete actions, and must refrain from provocative or aggressive action towards Kuwait or other neighbouring countries, by the terms of resolution 949 (1994). Strict Iraqi compliance with and implementation of relevant Security Council resolutions on the situation between Iraq and Kuwait and full cooperation with the United Nations and its agencies constitute the best way to resolve this crisis, to build confidence and to restore security and stability, thus paving the way for cooperation to the benefit of the countries of the region.

Here again, I want to reaffirm that we wish to preserve the unity, sovereignty and territorial integrity of Iraq, and that we look forward to Iraq's return to the fold of the international community, once it has implemented the Council's resolutions, as a responsible member playing a constructive role in the international arena through the efforts of its able and dynamic people.

The President: I thank the representative of Saudi Arabia for the kind words he addressed to me and to my country.

The next speaker is the representative of Sweden. I invite him to take a seat at the Council table and to make his statement.

Mr. Schori (Sweden): I thank you, Mr. President, for the manner in which you are handling this meeting.

I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus and Malta, as well as the European Free Trade Association country member of the European Economic Area Iceland, align themselves with this statement.

The European Union remains committed to the full implementation of all Security Council resolutions pertaining to Iraq. In particular, the European Union calls for the implementation of all the provisions of resolutions 687 (1991) and 1284 (1999). Those resolutions specify the obligations of Iraq in several areas, including weapons of mass destruction, and define the way to suspension and lifting of the prohibitions imposed by the Council. There can be no doubt that the key to suspension and lifting of sanctions lies in the hands of the Government of Iraq.

The European Union looks forward to the future reintegration of Iraq into the international community and to a more prosperous and dignified life for the Iraqi civilian population. We reiterate that Iraq must fully comply with its obligations as provided for in the relevant Security Council resolutions, and we call on the Government of Iraq to cooperate to that end. The European Union also welcomes the dialogue between the Secretary-General and the Government of Iraq.

The European Union regrets that, as a result of Iraq's failure to fulfil its international obligations, the conditions do not exist which would enable the Council to lift the prohibitions imposed under resolution 687 (1991). The European Union urges Iraq to cooperate with the United Nations in all respects, and reiterates the demand that Iraq allow the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency to undertake the responsibilities mandated by the Security Council and to enable them to initiate their work in Iraq as soon as possible.

Until the fulfilment by Iraq of the relevant Security Council resolutions, there is a clear need, as a temporary measure, to provide for the civilian needs of the Iraqi people. The European Union has strong sympathy for the fate of the Iraqi population, and remains the largest contributor of humanitarian aid and assistance to Iraq.

The European Union notes that, though not meant to meet all the needs of the Iraqi people, the United Nations humanitarian programme, as reported by the Secretary-General on 18 May (S/2001/505), has contributed not only to arresting the decline in the living conditions of the average Iraqi, but also to improving them. Important measures have also been taken lately, including in resolutions 1284 (1999), 1302 (2000) and 1330 (2000), to further improve the implementation of the oil-for-food programme. However, the humanitarian situation in Iraq remains alarming, calling for ambitious measures aimed at alleviating the suffering among the population. In particular, measures to stimulate normal activity in the civilian sectors of the Iraqi economy are vital.

Lasting security and stability in the region, as well as the living conditions of the Iraqi population, are the prime considerations that must guide the Security Council's actions. In that regard, the European Union welcomes the unanimous adoption of resolution 1352 (2001) on 1 June 2001. We find particularly important the commitment by the whole Security Council membership to consider new arrangements for the supply of commodities and products to Iraq and for the facilitation of civilian trade and economic cooperation with Iraq in civilian sectors. The two principles outlined there have full European Union support: that such a system should, first, improve the flow of commodities and products to Iraq, with the exception of those covered under resolution 687 (1991) and those included in the so-called goods review list, and, secondly, improve the controls to prevent the sale or supply of items prohibited and unauthorized by the Council and to prevent the flow of revenues to Iraq outside the escrow account. The European Union hopes that this new system will enhance transparency and allow Iraq to import the full range of civilian goods with the minimum of restrictions necessary to ensure that military-related items are not exported to Iraq.

The European Union welcomes the intention by the Security Council to adopt and implement such arrangements for a period beginning on 4 July. We strongly support the ongoing deliberations within the Council with the purpose of alleviating the predicament of the Iraqi civilian population. We encourage the Security Council to adopt, in accordance with resolution 1352 (2001), a decision on the new arrangements as soon as possible.

The President: The next speaker is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): Allow me, Sir, to congratulate you formally on your assumption of the presidency of the Council for this month, and to pay tribute to Ambassador Cunningham of the United States for his able stewardship of the Council last month.

My delegation expresses its appreciation to you, Mr. President, for convening this important and timely meeting. Our appreciation goes also to the Russian

Federation for initiating the request for a meeting on this subject, and to the other members of the Council for their support. We are encouraged that the Security Council is supportive of an open debate on one of the Council's most challenging issues: how to mitigate the humanitarian crisis in Iraq and move forward on the issue of disarmament. We believe that today's meeting will provide the Council with important feedback on this issue from the general membership of the United Nations.

In an earlier commentary on the humanitarian situation in Iraq, the Secretary-General had described the situation there as one that was posing "a serious moral dilemma" for the United Nations. He remarked that as a matter of principle, the Organization had always been on the side of the vulnerable and weak, focusing its efforts to relieve suffering, but in the case of the Iraqi situation, the United Nations was accused of promoting the suffering of an entire population. His lament remains as poignant today as it was then.

The United Nations will be hard pressed to defend itself against this charge in the face of substantive cumulative evidence — much of it gathered by its own agencies — that comprehensive sanctions against Iraq have resulted in the severe suffering of innocent civilians and caused profound socio-economic dislocations. The fact remains that a decade of the most comprehensive and punitive sanctions ever imposed on a society has decimated Iraq as a modern State, effectively forcing that country's economy back to a pre-industrial age and making it ever so dependent on the United Nations humanitarian programme for basic survival. That is beyond dispute.

It is time for the Council to muster the political will to move beyond its current approach in dealing with the situation. We do not believe that the Council's efforts for disarmament in respect of Iraq, which in fact have made significant progress, should continue to be linked to a policy of comprehensive sanctions that have resulted in the loss of lives and untold suffering for the Iraqi people. We do not believe the situation today justifies the continuation of these comprehensive sanctions.

After more than a decade of debilitating sanctions, the time has come for the international community and the Council to take a new and more balanced approach, one that would address the legitimate security concerns of the countries in the region, but would also spare the people of Iraq further collective punishment. If this Council is indeed serious in its intention to alleviate the suffering of the Iraqi people, this new approach should not link progress and disarmament with efforts to alleviate the humanitarian suffering.

It has long been our view that incremental improvements within the framework of the sanctions regime will not mitigate the impact of sanctions in any significant way. Based on our own direct observation of the situation on the ground, including the observation made by the recent humanitarian delegation from Malaysia to Iraq, the so-called humanitarian improvements against the background of a weakened physical, health, medical, water and sanitation infrastructure, due to the numerous holds, have failed miserably. This has reinforced our conviction that the oil-for-food programme will not be able to adequately mitigate the effects of the sanctions.

The issue of the moral dilemma alluded to by the Secretary-General is very pertinent to the question of violations of human rights and humanitarian law. Paragraph 109 of the Bossuyt report, entitled "The adverse consequences of economic sanctions on the enjoyment of human rights", issued by the Commission on Human Rights in document E/CN.4/Sub.2/2000/33, of 21 June 2000, states:

> "Sanctions regimes that clearly violate international law, especially human rights and humanitarian law, need not be respected. This is especially true when the imposers are clearly on notice of those violations and have undertaken no effective modification. Sanctions are now imposed with no consideration whatsoever of their legal status. In these situations, the humanitarian tragedy must be viewed as constituting an 'override' to an unduly harsh economic sanctions regime — analogous to the doctrine of *force majeur*. And, as already set out, the degree of public outcry is a factor in determining whether a sanctions regime is too harsh."

Perhaps the most important implication of international law for the issue of sanctions from the perspective of human rights and humanitarian law is that the right to impose sanctions is not unlimited. The rights of the civilian population must be protected to the maximum extent possible through the provisions of the essentials for survival. Even with this modest objective, the ability of the oil-for-food programme to deliver is being seriously questioned. We are not even talking about the higher-level needs of civil society, which also constitute a right of every individual.

We cannot in any serious discussion of the situation in Iraq be oblivious to the ongoing operations in the so-called no-fly zones. Malaysia has consistently challenged the purpose and the legality of such operations. Due to the low level and limited nature of the operations, the bombing of Iraqi targets remains as background noise in the general effort to confront or contain Iraq. The tendency of the international community has been to generally ignore these events as if they were routine operations, even when civilian casualties — the so-called collateral damage — are involved.

Clearly the continuation of these illegal operations is not conducive to a constructive dialogue between the United Nations and Iraq, which is so necessary at this stage. Indeed, these illegal and provocative operations will only complicate any effort towards dialogue and engagement with Iraq, such as the one initiated by the Secretary-General, for which we commend him and strongly encourage him to continue. Only dialogue and engagement will move the process forward, not continued isolation and containment, which will punish the long-suffering people of Iraq even further.

In the light of the continuing suffering of the Iraqi people, there has been increasing outcry among civil societies in a number of countries against the continuing sanctions and a more discernible manifestation of international solidarity with the people of Iraq. The dispatch of some 132 humanitarian flights to Iraq since November last year is a clear and undeniable reflection of this rising concern and solidarity with the people of Iraq. In working out its approach on Iraq, the Council should not turn a blind eye to this clear manifestation of international public sentiment on the situation in Iraq.

While Malaysia is concerned about the plight of the Iraqi people living under sanctions, it has never failed to also add its voice to the call by the international community for an early resolution of the issue of more than 600 Kuwaiti missing persons, as well as those from third countries. We consider it a grave humanitarian issue that needs to be addressed and more vigorously pursued. We reiterate our call on Iraq to fulfil all its international obligations and resume participation in the Tripartite Commission and the Technical Subcommittee. Not less important is the need to facilitate the return of Kuwait's national archives and other property that was taken out of Kuwait. These are important issues that should not be relegated to the back burner of Council deliberations. The existence of complete consensus in the Security Council on these two humanitarian issues should provide a strong basis for their early resolution.

The President: There are a number of speakers — as I just mentioned, about 20 — on my list. In view of the lateness of the hour and with the concurrence of the members of the Council, I intend to suspend the meeting until the afternoon of Thursday, 28 June. The exact time will be announced in the *Journal*.

The meeting was suspended at 7.30 p.m.

United Nations S/PV.4336 (Resumption 1)

Security Council

Fifty-sixth year

Provisional

4336th meeting

Thursday, 28 June 2001, 3 p.m.
New York

President:	Mr. Chowdhury	(Bangladesh)
Members:	China	Mr. Wang Donghua
	Colombia	Mr. Franco
	France	Mr. Florent
	Ireland	Mr. Cooney
	Jamaica	Mr. Ward
	Mali	Mr. Kassé
	Mauritius	Mr. Gokool
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Singapore	Ms. Lee
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Herasymenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation between Iraq and Kuwait

> Letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2001/597).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was resumed at 3.15 p.m. on Thursday, 28 June 2001.

The President: The next speaker inscribed on my list is the representative of the Libyan Arab Jamahiriya. I invite him to take a seat at the Council table and to make his statement.

Mr. Babaa (Libyan Arab Jamahiriya) (*spoke in Arabic*): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. We are confident that the Council's deliberations under your wise leadership will be crowned with success. We thank you for the opportunity to speak at this meeting. We express our appreciation to the Permanent Representative of the Russian Federation for calling for the convening of this important meeting, for an open debate on the sanctions imposed on Iraq.

As a matter of principle, Libya opposes sanctions and supports the settlement of disputes by peaceful means and constructive dialogue. We believe in the need to respect the sovereignty, security, independence and territorial integrity of other States in order to achieve security and peace.

Sanctions must be the last resort for the Security Council to consider after it has explored all other peaceful means based on the Charter and on strong legal foundations. Sanctions must be imposed only when peace is threatened or breached and when there is aggression, and within a set time frame.

Therefore, we believe that sanctions must be immediately lifted without delay when the reasons for their imposition are eliminated. We believe that sanctions run counter to human rights. They are a violation of the right to life, the right to freedom from hunger and the right to education, health care and development. Sanctions also affect the most vulnerable in society, such as the aged, women and children. We fully reject the use of sanctions or the use of the Security Council's powers for promoting the interests of a State or group of States, for intervening in the internal affairs of States, for imposing a political regime, for overthrowing or changing a Government or for punishing a state.

The authority to impose sanctions and implement them, in addition to the right of veto, has led to disregard for the provisions of the Charter of the United Nations, which says that the Security Council acts on behalf of all Member States of the United Nations. Therefore, the imposition of sanctions on a State must be a collective decision that enjoys the unanimous agreement of all Member States, with one set of standards for the imposition and lifting of sanctions.

We believe that other States have threatened regional and international peace and security. They have violated Security Council resolutions and international law and possess weapons of mass destruction. They have not been taken to task, however, because of the double standards used by major States.

The Tel Aviv regime, under the very eyes of the international community, continues to attempt to eradicate and disperse the Palestinian people and to gain control of its remaining territories, using new apartheid-like means based on occupation, settlement, siege and displacement. It is indeed strange that, due to such double standards, the major State providing the Tel Aviv regime with the most up-to-date weaponry, to be used against children and women, is the same very State that insists on maintaining the siege of Iraq and that prevents the Security Council from compelling the Tel Aviv regime to respect the resolutions of the United Nations and to protect the Palestinian people.

The sanctions imposed by the Security Council against Iraq have become a crime of genocide against the Iraqi people. The States that object to the lifting of those sanctions are guilty of that crime. These States have opened the territory of Iraq to weapons experts and foreign intelligence agencies for almost a decade. No corner of Iraq has been spared inspection; even Iraqi bedrooms have been inspected. The siege nevertheless continues as strong as ever in an attempt to destroy Iraq, its institutions and its infrastructure and to tear Iraqi society apart.

Despite the aggression and almost daily military attacks directed against Iraq, under the pretext of breaches of no-fly zones that were imposed without a mandate from the Security Council or the international community, the Security Council has not even initiated a debate of such aggression, which flagrantly violates international law, the United Nations Charter and its own resolutions under Chapter VII, which are binding on all States. Calling on Iraq to cooperate with the United Nations so that the sanctions may be lifted is an empty pretext to maintain those sanctions. Although Iraq has largely cooperated with the United Nations and the Security Council, the sanctions have neither been lifted, suspended nor lessened.

Iraq has the right not to trust that sanctions will be lifted when it cooperates, because it is mindful of the sanctions imposed against Libya and of the fact that the Security Council refused to lift those sanctions despite unanimous agreement among its members, with one exception, and within the international community that Libya had fully cooperated with the United Nations and satisfied all its obligations. Before demanding that Iraq cooperate further, the Security Council must regain its credibility by abiding by its own resolutions and cease exerting pressure on behalf of one State and its special interests.

As for the Security Council's consultations and the draft resolution being proposed in the guise of lessening the suffering of the Iraqi people by modifying the sanctions regime, they are merely attempts to perpetuate those sanctions eternally. Whether the sanctions imposed against Iraq are strong or weak, smart or dumb, they are in fact aimed against the present and future of an entire people. The object is the further destruction of that country, whose people has made a great contribution to human civilization.

In conclusion, we renew our call for an immediate lifting of sanctions without further delay. Their continuation in any form will ensure the ongoing suffering of the Iraqi people and have a negative impact on the situation in the region and throughout the world.

The President: I thank the representative of the Libyan Arab Jamahiriya for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Satoh (Japan): I would like to thank you, Sir, for giving me the opportunity to participate in today's discussion on this important issue.

Although it has been more than a decade since the ceasefire was achieved in the Gulf, the international community has yet to witness the full implementation of the relevant Security Council resolutions, including resolution 687 (1991), which stipulated the conditions for a formal ceasefire, nor have the provisions of resolution 1284 (1999), which seeks to gain Iraq's cooperation with the United Nations, been implemented.

The current impasse, in which no progress can be made towards the implementation of the resolutions, is a source of profound concern to us. We must remember what is at stake: the peace and stability of the Middle East region. A primary objective of the Council's resolutions is to ensure that Iraq no longer has the capacity to pose a threat to its neighbouring states. Also at stake is the credibility of international efforts for the non-proliferation of weapons of mass destruction. As all know, Japan has been a strong advocate for the non-proliferation and eventual elimination of weapons of mass destruction.

At the same time, we share with the international community the concern for the plight of the Iraqi people. We believe that there is a need to make adjustments to the current sanctions regime in order to alleviate their suffering, while retaining the objectives of the Council's resolutions. It is in this context that we fully support the ongoing efforts of the Council to modify the current sanctions regime in line with resolution 1352 (2001), which was adopted unanimously. We will support any step to ease the suffering of the Iraqi people that does not compromise our common objective of resolving the disarmament issue in Iraq.

I would like to add here that the interested States in the region should be consulted in the process of formulating the specifics of the new sanctions regime. Their cooperation is essential in order to ensure the effective implementation of such a new regime.

Japan, which has retained its bilateral diplomatic relations with Iraq throughout the past decade, has continuously sought to persuade the Government of Iraq to implement the relevant resolutions and to cooperate with the United Nations, particularly with the United Nations Monitoring, Verification and Inspection Commission. Regrettably, such efforts by us and other members of the international community have so far reaped no discernible results.

We would therefore like to take this opportunity once again to call on the Government of Iraq to cooperate with the United Nations and to implement the relevant Security Council resolutions as soon as possible. In this context, we hope that the dialogue between Iraq and the United Nations will be maintained.

I would also to take this opportunity to urge all members of the Council, particularly the permanent members, to make further efforts to act together to resolve the situation. In dealing with an issue as difficult as the Iraqi situation, it is crucial that the Council act in unity. Unless the Council speaks with one voice, the prospect for breaking the current impasse will not improve.

We look forward to the day when Iraq can normalize its relationship with the international community. This will be possible only when the provisions of the relevant Security Council resolutions are implemented. We sincerely hope that this will be achieved without further delay.

The President: The next speaker inscribed on my list is the representative of Turkey. I invite him to take a seat at the Council table and to make his statement.

Mr. Pamir (Turkey): Like previous speakers, I should also like to congratulate you, Mr. President, for having taken the helm of the Security Council during this busy month of June.

The Council is again deliberating on a matter that has preoccupied the international community for more than 10 years now. We believe that a comprehensive approach is required to overcome the present standstill in connection with the sanctions on Iraq. Like all those nations that are voicing their concerns and hopes here today, Turkey is deeply distressed by the ongoing suffering of the Iraqi people under the prevailing conditions. We are also one of the foremost countries to have been heavily affected by the sanctions against Iraq.

Let me place on record the fact that Turkey's principal wish is to see these sanctions lifted altogether in the nearest possible future. For this to happen, a new spirit of cooperation between the Security Council and Iraq will have to take hold. We want to see the current negotiations among the membership of the Council lead to precisely that. This exercise should stay its course and effectively eliminate the existing stumbling-blocks that stand in the way of the Iraqi people's access to all civilian goods.

Similarly, the distance between the Security Council and Iraq should be bridged in a manner that would bring them within the range of cooperation on monitoring and verification issues relating to paragraphs 8, 9 and 10 of resolution 687 (1991).

I cannot overemphasize my country's longstanding concern over the deployment and development of weapons of mass destruction and their means of delivery in our region.

We were heartened when a fresh dialogue started between Iraq and the Secretary-General last February. We believe that this momentum should be maintained. We think that it is even more important now for this dialogue to continue in the light of the ongoing drafting process in the Security Council, as it seems that the resulting text will give more discretion to the Secretary-General in the execution of the humanitarian programme.

Our view of the future is clear. We are now faced with the critical need to alleviate the humanitarian situation in Iraq and to relieve the bordering countries of the disproportionate economic and social burden they have been shouldering all these years.

The idea should therefore not be to make the present scope of trade with Iraq more restrictive and render the procedures more cumbersome, introducing new uncalled-for obligations into the system. It should, rather, pave the way for a more liberalized trade system that will both guard the economic and commercial interests of these countries and draw Iraq's cooperation, which is essential, thus making arrangements workable.

The President: The next speaker inscribed on my list is the representative of India. I invite him to take a seat at the Council table and to make his statement.

Mr. Pal (India): Mr. President, we thank you for calling this meeting. Let me also put on record our appreciation for your contribution to the Council's work and for the cooperation you and your indefatigable team have extended to all delegations.

India has always opposed sanctions that have a humanitarian impact, and, as External Affairs Minister Jaswant Singh has said in Parliament,

> "the sanctions imposed on Iraq are unjust, unwise and detrimental to large numbers of innocent Iraqi men, women and children".

We have repeatedly called for these sanctions to be lifted in tandem with Iraq's compliance with the relevant Security Council resolutions. We believe that the no-fly zones are not sanctioned by any aspect of the Council's resolutions. We have always disapproved of unilateral armed action against Iraq, and we believe attempts to undermine Iraq's territorial integrity — attempts which we reject — could have unforeseen and destructive geopolitical implications for the region.

The sanctions on Iraq have also caused acute economic and financial hardship to other countries, India among them. Unfortunately, our request for relief under Article 50 is still pending with the sanctions Committee. To ease the serious strain imposed on our economy by these sanctions, we have also informed the Council about a counter-trade arrangement with Iraq which will let it import food from India against the export of crude oil and oil products.

India has a vital interest in the peace and prosperity of the Gulf, which is part of our neighbourhood. We have therefore supported every initiative to defuse the crisis over Iraq and believe it would help promote the security and stability of the region if Iraq were brought back into the mainstream of regional and international affairs. We hope diplomatic efforts will be resumed under the auspices of the United Nations. We see the need to develop fresh ideas and new mechanisms to serve the purpose of the United Nations. We hope the Council will act urgently to end the long nightmare of the people of Iraq.

The President: I thank the representative of India for the kind words he addressed to me and to my colleagues.

The next speaker inscribed on my list is the representative of Australia. I invite her to take a seat at the Council table and to make her statement.

Ms. Wensley (Australia): I wish to thank you, Mr. President, for convening this open meeting of the Council.

Australia remains committed to the full implementation of all Security Council resolutions on Iraq. We support the two principles now guiding the Security Council's approach to Iraq, as set out in resolution 1352 (2001), namely to improve the flow of goods and commodities to Iraq while ensuring that military-related items are not exported to it.

Australia welcomes the constructive proposals put forward in the United Kingdom draft resolution, which is based on these two principles. We believe that these proposals, if implemented, would make a significant difference to the flow of civilian goods to Iraq. If the draft resolution were adopted, we would go from a situation in which all imports to Iraq are prohibited unless specifically allowed, to one where all imports are automatically allowed, unless they are on the goods review list. And even items on this list could be approved, depending on their end use.

Australia is of the firm view that for any region, including our own, to achieve a positive security environment, it is imperative for the States of that region to meet their international obligations. This is particularly true in respect of Iraq's weapons of mass destruction obligations under Security Council resolutions. Like others, we have been concerned that, for over two years now, it has not been possible to carry out the weapons verification and monitoring work in Iraq as mandated by the United Nations.

This has had a destabilizing effect on the region as a whole. The United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) has not been able to commence its inspection activities in Iraq, in line with its United Nations mandate. This is most discouraging. Likewise, the International Atomic Energy Agency (IAEA) is still unable to resume its verification and monitoring activities in Iraq, as mandated by the Security Council. We call upon Iraq to cooperate fully with UNMOVIC and the IAEA to demonstrate its good faith and its willingness to work with the international community. Full implementation of these activities is essential to provide the assurances required by the Security Council. It is our sincere hope that the Iraqi leadership will now take the necessary steps to fulfil its international obligations. These obligations are clear. Iraq must comply fully with all relevant Security Council resolutions.

The Australian Government is concerned at the humanitarian situation in Iraq and is deeply sympathetic to the plight of the Iraqi people. However, United Nations sanctions are not aimed at the ordinary Iraqi person. Every effort has been made by the United Nations and the international community, including Australia, to limit their impact on the Iraqi people. The United Kingdom draft resolution would take us still further in this direction.

Australia welcomes the improvements which have been made in the implementation of the oil-for-food programme since its inception, through the passage of resolutions 1284 (1999), 1302 (2000) and 1330 (2000). These improvements include the lifting of the ceiling which previously applied to Iraqi oil exports; expedited approval procedures for many food, agriculture, educational, housing and health items; and increases in the money available to Iraq for expenditure on its oil sector.

We welcome evidence that the oil-for-food programme has arrested the decline in Iraqi living standards, but equally we recognize the imperative of further alleviating the predicament of the Iraqi civilian population. We therefore urge the international community to support the additional improvements to the programme currently under consideration. We see this latest effort as an important step forward which will make a difference to the lives of ordinary Iraqi citizens.

The President: I should like to inform the Council that I have received a letter from the representative of the Netherlands in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure. There being no objection, so decided.

I invite the representative of the Netherlands to take the seat reserved for him at the side of the Council Chamber.

The next speaker inscribed on my list is the representative of New Zealand. I invite him to take a seat at the Council table and make his statement.

Mr. MacKay (New Zealand): New Zealand fully supports the current efforts of the Council to revise the sanctions regime in respect of Iraq in order to permit the restoration of normal trade as far as possible, while maintaining effective controls on goods which may assist Iraq to rearm with weapons of mass destruction.

Sanctions are an indispensable tool for the Council, but they are also a blunt instrument. My delegation considers that sanctions must be targeted for maximum effectiveness and focused so as to minimize any harmful impact on the humanitarian needs of the civilian population concerned.

The urgent need to alleviate the serious humanitarian suffering of the Iraqi civilian population is well recognized. It was out of concern for the civilian population of Iraq that the oil-for-food programme was first put in place. It was not, however, designed as a long-term mechanism to meet all the humanitarian needs of the Iraqi population. That said, the oil-for-food programme should be able to fulfil their basic needs. New Zealand has welcomed the efforts of the Council, particularly since the adoption of resolution 1284 (1999), to improve the situation of ordinary Iraqis by making the programme more effective.

The lifting of the ceiling on Iraq's oil exports and the streamlining of the approval process for importing civilian goods have been demonstrable improvements in the way in which sanctions have been applied to Iraq. They have given the Government of Iraq the clear means of meeting the needs of its civilian population. That the Government of Iraq has chosen not to do so, and continues to undermine the effectiveness of the programme through its current refusal to export oil, remains a matter of grave concern to my Government.

The key to removing the need for any sanctions regime is clearly in the hands of the Iraqi Government. It must comply with the resolutions of the Council, including by admitting United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) inspectors into Iraq in order to verify that it has met its disarmament obligations. My delegation fully endorses the Council's efforts to secure Iraqi compliance with its obligations to disarm.

We recognize that the cooperation of the countries of the region in particular is essential to make the proposed new arrangements workable and effective, and we welcome clear recognition of this fact by the Council. The current sanctions regime against Iraq has been characterized by compliance problems. The successful implementation of the changes proposed to the sanctions regime will require the full cooperation of all Member States.

The commitment of the Council in resolution 1352 (2001) to bring about significant improvements in the flow of commodities and products to Iraq will be of benefit to the region as a whole. The restoration of normal trade is an important step in Iraq's return to the modern world and will also be of great benefit to the Iraqi Government itself, should it choose to cooperate.

The President: The next speaker inscribed on my list is the representative of Bahrain. I invite him to take a seat at the Council table and make his statement.

Mr. Buallay (Bahrain) (*spoke in Arabic*): My delegation is delighted to see you, Sir, presiding over the Security Council, perhaps for the second time on the same subject. This provides a certain continuity that is a source of confidence and pleasure for us.

In taking up the consequences of Iraqi aggression against the State of Kuwait, the Security Council enacted resolution 687 (1991), which included principal elements, such as eradicating weapons of mass destruction, boycotting the regime, freeing Kuwaiti and non-Kuwaiti prisoners, the return of Kuwaiti property, as well as measures to ease the effect of sanctions on the Iraqi people.

Eight years after the adoption of that resolution, years characterized by varying levels of disagreement and controversy on implementation between the United Nations and Iraq, focusing essentially on the issue of weapons of mass destruction and the humanitarian aspects of the boycott, there has been a total neglect of prisoners of war and Kuwaiti property. Following those eight years, the Security Council enacted resolution 1284 (1999) which sought on the one hand to ease implementation and on the other to again shed light on the issues of prisoners and properties.

In resolution 1284 (1999) the Security Council showed that it was prepared for further cooperation with Iraq, in that it showed much flexibility on the four main dossiers relating to weapons of mass destruction, while it clearly showed an easing on the humanitarian effects of the sanctions regime.

The Security Council had hoped that in meeting Iraq halfway, the effects of its aggression on the State of Kuwait would finally be overcome. Despite the fact that there has been documented recognition of the State of Kuwait from time to time, there are strange references that cast doubt on the existence of such recognition. The Security Council tried to create a positive environment in dealing with Iraq by adopting its second major resolution, resolution 1284 (1999), a resolution inspired by the experience resulting from the implementation of the first major resolution, resolution 687 (1999). So the resolution did not come out of a vacuum. Its objective was to improve dealings between the two parties in order to move forward with the issue and finally resolve it.

What was the result? Regrettably, it was not encouraging. The situation on the ground has not shown any movement whatsoever. Iraq states that most, if not all, the dossiers on weapons of mass destruction are closed or nearly closed. If that is true, why can it not be officially certified by the United Nations following verification by the Commission created in resolution 1284 (1999)? That commission, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), whose Chairman and other members are said to be neutral and above all the suspicions that were directed against the Chairman and some of the members of the Commission's predecessor, the United Nations Special Commission (UNSCOM). Iraq states that it has no Kuwaiti prisoners. However, it states in turn that there are Iraqi missing persons. It is difficult for us to understand this statement that there are no Kuwaiti prisoners. The case file on each of those persons is fully documented and shows that they have disappeared, and that they are in Iraq. In order to resolve this issue, Iraq merely has to cooperate with the coordinator of the Secretary-General, who was appointed for that purpose, and has to participate in the activities of the international committee created for that purpose.

Finally, we have no need to take up the humanitarian aspect of the sanctions. Many improvements have been made to the regime in order to satisfy the needs of the Iraqi people. So where is the problem in trying to eliminate the remaining effects of Iraq's occupation of the State Kuwait, although more than nine years have passed since the end of the occupation and the liberation of Kuwait? We, the States of the region, believe that it is not natural for us to live in a situation of see-sawing between peace and war. We have major responsibilities towards our peoples, responsibilities and obligations in the domains of political, economic and social development. We also have the responsibility of creating conditions ensuring the success of these plans for development. We cannot say with any degree of certainty that such conditions currently exist.

Ultimately, we must call for constructive and genuine cooperation between the Security Council and Iraq. We must work to find a solid foundation for such cooperation. That necessarily requires Iraq's implementation of relevant Security Council resolutions. In return, the Security Council must be prepared to lift the embargo against Iraq when the main dossiers on weapons of mass destruction are closed and when the issue of Kuwaiti prisoners of war, prisoners of other nationalities and Kuwaiti properties are resolved.

The President: The next speaker is the representative of Germany. I invite him to take a seat at the Council table and to make his statement.

Mr. Kastrup (Germany): The Swedish Ambassador has spoken on behalf of the European Union. My country fully supports that statement, but we would like to offer some additional remarks.

It is regrettable that the Security Council still has to discuss the sanctions regime on Iraq more than 10 years after the end of the Gulf War. My country is concerned about the humanitarian situation in Iraq, and we are, like many other Member States, determined to improve that situation. We want to emphasize, however — and I say this in the presence of the representative of the Iraqi Government — that it remains the responsibility of the Government of Iraq alone to improve the situation of its population. For Germany, it goes without saying that the best solution would be the lifting of sanctions, but, of course, only after full compliance by the Government of Iraq with all relevant Security Council resolutions, in particular the obligations contained in resolutions 687 (1991) and 1284 (1999). Unfortunately, we are still far away from this best solution. In this context, we have taken note of the new Russian draft resolution. We have strong doubts that it will contribute to the urgently needed consensus.

The call for the implementation of Security Council resolutions 687 (1991) and 1284 (1999) remains valid. These resolutions define the obligations of Iraq in the areas of weapons of mass destruction and describe, at the same time, the way to the suspension and lifting of the sanctions. The failure of the Government of Iraq to fulfil its obligations, most significantly visible through the continued denial of cooperation with the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency, prevents until this day, unfortunately, the lifting of sanctions.

The difficult humanitarian situation in Iraq has been giving the international community reasons for concern practically throughout the existing sanctions regime against Iraq. The Security Council has repeatedly reacted to this situation, particularly through the inception of the oil-for-food programme and its subsequent changes and additions. It should be recalled that this programme was never intended to meet all the needs of the Iraqi population, but it is supposed to provide sufficient basic requirements. We would like to recall the repeated concern raised by the Secretary-General that Iraq is not using the already existing mechanisms to their full potential. As this responsibility lies solely with the Iraqi Government, the international community has only limited influence.

Nobody in Germany wants to see the Iraqi population suffer unnecessarily, but as long as the Government of Iraq does not comply with its international obligations, the question will not be whether to lift sanctions or not. The question will be how to improve the sanctions regime by making sanctions more targeted towards achievement of the objectives, by making them more efficient and by limiting their negative effects on the population of Iraq. We therefore welcome the ongoing discussions. We believe that a more transparent, practicable and targeted system could be created by improving the flow of commodities and products to Iraq, and at the same time, by creating more effective controls to prevent circumvention. This would lead to an environment that is conducive to the improvement of the humanitarian situation of the people.

Such a new approach should allow for potentially growing civilian trade, including projects for infrastructure. In this context, the so-called Goods Review List is of paramount importance. Those goods and items have to be defined that will prevent the rebuilding of the military capabilities and capacities of Iraq and prevent the import of dual-use goods. In shaping this list, work should be undertaken in a target-oriented approach, making the list transparent, concise and, thus, implementable. Furthermore, we expect that these new arrangements will, by clearly defining the goods and items on the Goods Review List, alleviate the problems that have led to the large number of applications being put on hold by the sanctions committee.

The Security Council has a responsibility to develop a new strategy in a coherent and transparent manner. We welcome the fact that, after long-standing debate on civilian passage and cargo flights, the opportunity for a solution exists. These flights should be made possible through an easily implementable system that would allow for practical solutions, including the necessary inspections.

We encourage the Security Council to work towards a concrete solution that will benefit the Iraqi people, while ensuring the compliance and cooperation of the Iraqi Government. This solution should also take into account the admittedly extremely difficult situation of neighbouring States. We recall, in that context, Security Council resolution 1352 (2001), which confirmed the agreement among the members of the Security Council to work on new arrangements for Iraq, allowing 30 days to conclude these measures. We all know that the 30 days are about to expire in just a couple of days, but it seems much work still has to be done. In the interest of the Iraqi people and in the interest of the international community, the Security Council should meet this target.

The President: I give the floor to the representative of the Netherlands.

Mr. van den Berg (Netherlands): The Netherlands welcomes this open debate, which offers all United Nations members the opportunity to present their views on the question concerning Iraq. We also express our full support for the statement made by the presidency of the European Union.

The Netherlands wishes to see the full rehabilitation of Iraq as a normal member of the international community as soon as possible. But let us not forget that it was Iraq itself that, by its actions, moved into the position of outcast. At the root of the present situation lies the 1990 invasion of Kuwait by Iraq. This aggression was reversed back by the international community, which subsequently determined that this should not happen again. Hence, resolution 687 (1991). The Netherlands continues to support that resolution's clear objective of preventing renewed Iraqi aggression.

At the same time, the road to the full rehabilitation of Iraq is equally clear. The Government of Iraq must comply with and implement the relevant Security Council resolutions. Once Iraq has complied, sanctions will be lifted. If at a prior stage it cooperates in all respects with the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency, in accordance with resolution 1284 (1999), sanctions will be suspended. Sadly, so far Iraq has not made it possible for the Council to take those decisions. It even refuses to cooperate on the issues of the missing persons and Kuwaiti property.

Despite the attitude of the Government of Iraq, the Council itself must continue to do what it can to ease the plight of the people of Iraq. Security Council resolution 1284 (1999) contributed significantly to reaching the objective of more targeted sanctions. The efforts currently under way in the Council to further improve the sanctions regime proceed from the logic of that resolution, and we warmly welcome them. We commend the United Kingdom for having taken the lead in these discussions.

The Netherlands is pleased to see the introduction of the principle that all goods and products will be allowed into Iraq unless they are on the Goods Review List and there is a specific decision to block them. We understand that setting up a new regime is a very complicated task. The new system will inevitably imply a trade-off between the length of the list and the manageability of the regime; just as it will be a trade-off between preventing the unwanted access of Iraq to military equipment and the fate of the Iraqi people.

In dealing with these trade-offs, the guiding principle should be whether the new regime can work in practice. During its membership on the Council, the Netherlands spoke up repeatedly about the unacceptably high number of contracts on hold. We hope and believe that the new system will make an excessive number of such holds a thing of the past.

A number of delegations have spoken before me and their interventions cause me to underline one aspect of the Iraqi question which is not without significance. The Netherlands believes that the Council should also look into ideas concerning the maintenance and improvement of Iraqi oil production capacity. It will enable Iraq to make full use of the expanded opportunities within the framework of an improved sanctions regime for the benefit of its people. Proper repairs and development of the industry, including providing the means for good oil-field husbandry, are needed to ensure sustainable and ecologically sound oil production over the years to come.

The Netherlands urges the Council to successfully conclude efforts to introduce the necessary improvements in the sanctions regime with regard to Iraq. If it is not possible for the Council to discuss all aspects simultaneously, we fully understand that the Council will concentrate first on the important aspect of the Goods Review List.

The President: The next speaker is the representative of Italy. I invite him to take a seat at the Council table and to make his statement.

Mr. Vento (Italy): I wish to begin, Mr. President, by thanking you for convening this open forum, which gives United Nations Member States that are not on the Security Council the opportunity to express their views on one of the most sensitive issues of the day: the situation between Iraq and Kuwait. As I take the floor in this Chamber for the first time this month, I would like also to express the satisfaction of my delegation at seeing you, Sir, at the helm of the Council.

The representative of Sweden has already make a statement on behalf of the European Union. Italy fully endorses it, and would like only to add a few remarks. It is Italy's strong hope that in the not-too-distant future the United Nations will be able to certify that the conditions are right for a full resumption of relations between Iraq and the international community. To that end, we must promote the establishment of a climate of trust through the adoption of measures inspired, first of all, by respect for all the pertinent United Nations resolutions and by equitable and constructive initiatives. We also consider that the territorial integrity and national sovereignty of every State in the region deserve the respect of all members of the international community.

In order for normal relations between Iraq and the international community to be re-established and for sanctions to be lifted, it is essential that the Iraqi Government show a spirit of full cooperation, first of all by welcoming the inspectors from the United Nations Monitoring, Verification and Inspection Commission and allowing them to do their job.

Of the many aspects of the complex issue we are dealing with today, the humanitarian question is undoubtedly the largest and the most pressing. It is of the utmost urgency that there be a return to an appropriate dialogue on the fate of prisoners of war and of those missing in action, as well as on property that had been removed. In that connection, the foundations for the promising development of such a dialogue would be laid with immediate conciliatory gestures by the Iraqi Government.

At the same time, one cannot but feel the greatest compassion for the innocent civilian population of Iraq, where health conditions, especially those of women and children, remain critical and cry out for a prompt and appropriate response by the international community. Emergency measures are needed to stem the tide of epidemic, reverse the exponential increase in infant mortality and halt the outbreak of serious illnesses such as leukaemia and cancer related to the environmental degradation that has accompanied the now-10-year-old sanctions regime. It is therefore a matter of top priority that Iraq's medical and hospital structures be rehabilitated and that basic health and hygiene conditions be improved.

To achieve a lasting amelioration of social conditions, the basic economic infrastructure must be revitalized. Measures must be devised to stimulate the supply of commodities and services and to facilitate economic cooperation, including investment in civilian sectors, starting with the water supply, sewage, energy, fuel and transportation. At the same time there should be a gradual resumption of commercial flights to Iraq, with appropriate guarantees and controls.

Of course, to make an improved sanctions regime function more effectively, all Member States must be determined to give the United Nations their fullest cooperation. Concurrently, the adoption of more transparent and effective authorization procedures would prevent rearmament without prejudicing trade, would liberalize the flow of civilian goods and services to Iraq, and would help redress the current imbalances.

In that context, the interests of neighbouring countries have to be taken fully into account; their agreement is needed for any future arrangement. That is requested both as a matter of fairness and for the sake of regional stability.

Ten years is a long time in both human and foreign relations. It is in everyone's best interest to reach a satisfactory and final settlement of the situation between Iraq and Kuwait. A few months ago, we had a glimpse of hope when talks were resumed between the Secretary-General and the Government of Iraq. We still trust that the Secretary-General can provide an ideal channel of dialogue to improve the present sorry state of affairs and to help Iraq abide by the relevant United Nations resolutions, finally taking its full place once again in the community of nations.

The President: I thank the representative of Italy for the kind words he addressed to me.

The next speaker is the representative of Yemen. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Ashtal (Yemen) (*spoke in Arabic*): I wish at the outset, Sir, to congratulate you most sincerely on your assumption of the presidency of the Security Council for this month, a month that has seen continuous Council activity under your wise leadership.

Behind the item before the Council today — the situation between Iraq and Kuwait — lies the genuine tragedy that affected Kuwait for a certain time. But Iraq continues to suffer from its impact. To this day, the people of Iraq — women, children and old people — continue to suffer hardship and pain. They continue to suffer the repercussions of a painful calamity and to pay an exorbitant price for it.

It is true that the Gulf crisis that has blighted our region inflicted a deep wound on the Arab body politic; it will not heal until we overcome the crisis in all its dimensions. This must include an appropriate solution of the question of Kuwaiti prisoners and property.

But it is also true that continuing the blockade against Iraq will pose a threat to peace and stability in the region for many years to come. How could it be otherwise when an entire generation of Iraqis live a life of misery, which breeds indignation and hatred and sows the seeds of future crisis?

Today, Kuwait has been liberated. It has regained its sovereignty and has secured its borders. Today, the Gulf crisis is history, but Iraq continues to this day to live that tragedy. The comprehensive embargo imposed on Iraq 10 years ago continues ceaselessly to crush the Iraqi people. For Iraq and the Iraqis, time has stood still. Building has ceased; development has halted. Indeed, life has come to an end for hundreds of thousands of children felled by disease and epidemic in the wake of a comprehensive blockade imposed by military force. A whole generation of Iraqis have become victims of the embargo, whose effects exceed those of the war in their scope, harmfulness, damage and seriousness. All sectors of the State and of society have been affected; the infrastructure has withered; health care and education have deteriorated, leaving behind permanent disabilities.

The embargo's effects on Iraq are not confined to the Iraqi people; the impact has been directly felt by neighbouring countries and indirectly by other countries, such as my own country, Yemen, which has experienced great economic, trade and financial problems. Suffice it to say that eight huge Iraqi ships have been moored in Aden harbour for more than 10 years, constituting a real environmental hazard there.

We call for an end to the embargo, an end to the suffering of the Iraqi people so that they will have the opportunity to rebuild anew, to repair the damage, tragedy and pain caused by the embargo. The embargo imposed on Iraq, whether smart or stupid, today has no political or ethical justification. This is my country's position. Arab public opinion feels that the Iraqis are the victims of collective punishment that was meted out to that people, who has suffered enough.

The President: I thank the representative of Yemen for his kind words addressed to me.

The next speaker inscribed on my list is the representative of the Syrian Arab Republic, whom I invite to take a seat at the Council table and to make his statement.

Mr. Wehbe (Syrian Arab Republic) *(spoke in Arabic)*: At the outset, allow me, Sir, to express my delegation's satisfaction at seeing you preside over the Security Council for the month of June. On this occasion, I should like to assure you of our readiness to cooperate fully with you and with your brotherly country in any way possible to crown your efforts with success, efforts to promote the role of the United Nations and, particularly, this Security Council, in the maintenance of international peace and security. We would also like to express our appreciation to you for this meeting. Allow us also to express our sincere thanks to Ambassador Sergei Lavrov for his proposal to convene this open meeting of the Security Council in order to undertake a general debate on this important and timely issue.

The Syrian Arab Republic is carefully following the Security Council's continuing deliberations on the sanctions imposed on Iraq. We are hopeful that the current consultations will lead to a definitive end to the suffering of millions of women, children, young people and the elderly in Iraq, all of whom are suffering from the harshness of the embargo and its destructive consequences at various levels. We are glad to note an increasing international understanding, as I heard in delegations' statements yesterday and today. This concern shows the importance of freeing the Iraqi people from its suffering after more than 10 years of the embargo, the sole consequence of which has been more suffering and frustration for our Iraqi brothers.

At this stage, I would like to state that continuation of the sanctions will lead to serious repercussions for the unity of Iraq, for the security and stability of the region and for unforeseeable environmental and social deterioration, not to mention a grinding halt to development in all its forms.

My delegation wishes to state that we are strongly attached to the unity and territorial integrity of Iraq. Syria opposes any measures taken against Iraq outside of the purview of United Nations resolutions. We must ensure the necessary credibility of the Security Council in its implementation of United Nations resolutions.

Faced with the stormy developments of 1990, the position of the Syrian Arab Republic was crystal clear. We recall the constructive role played by Syria in the liberation of brotherly Kuwait, assisting our brothers in that nation by all means available to us. We continue our endeavours to help Kuwait overcome the pain afflicted upon it. The Syrian Arab Republic continues to believe that it is necessary to eliminate all the negative effects that have befallen the people of Kuwait as a result of that war. We express our attachment to the independence, sovereignty and security of Kuwait, as well as to the return of Kuwaiti prisoners of war, missing persons and others to their families and homes. Let me stress the need for the return of Kuwaiti properties to Kuwait in a practical framework agreed upon fundamentally between the two parties, Iraq and Kuwait, so that deliberations on these issues may have a political and humanitarian framework, thus leading to a solution.

The Syrian Arab Republic supports and abides by the full implementation of the resolutions of international legitimacy. We spoke out on the need to maintain international legitimacy and the relevant resolutions in all fields, without any double standards in the implementation of such resolutions.

Within the debate on the varying aspects of sanctions, Syria is not satisfied. We have repeatedly said that we are not satisfied with sanctions in principle. We have always called for the lifting of sanctions imposed on the Iraqi people. Syria's position proceeds from the following basic factors.

First, the principle of economic sanctions has proved worthless and has shown that they are harmful to international relations and therefore must be set aside. They must not be resorted to.

Secondly, seeing that these sanctions have had such harmful effects on the Iraqi people and have increased its suffering, they, the sanctions, have also been harmful to Iraq's neighbouring States and peoples.

Thirdly, there is a general Arab consensus against continuing sanctions with respect to Iraq. This was made very clear during the deliberations among the leaders of Arab States at the latest Arab summit in Amman. Syria looks to this Council to take into consideration, when debating and taking up the differing viewpoints on the situation between Iraq and Kuwait, the major economic difficulties that have confronted the neighbouring States as a consequence of the sanctions imposed on Iraq. The Council must take into consideration the utmost importance that neighbouring States and peoples attach to the lifting of the sanctions. These States must be able to resume a normal cycle of economic life. We hope that new resolutions in this regard will not jeopardize the sovereignty of neighbouring States with respect to land or the air.

Furthermore, any talk of a draft resolution tabled in the Security Council on the elimination of weapons of mass destruction in the region would be acceptable if it came within a comprehensive purview aiming to transform the Middle East into an area free of weapons of mass destruction, especially nuclear weapons. Therefore, this would include the need to compel Israel to place all its nuclear installations under international control. Security Council resolution 687 (1991) states in paragraph 14 that the Council noted that measures to be taken by Iraq stipulated in earlier paragraphs represented steps towards the objective of creating a Middle East free of weapons of mass destruction.

We are confident that the Security Council, which bears the responsibility to maintain international peace and security and to protect the life and future of humanity, will take into consideration, in debating the draft resolution on Iraq, the tragic humanitarian situation of the people of Iraq and the peoples of neighbouring countries.

There is a strong wish in international public opinion, and particularly among Arab peoples, to lift the sanctions imposed on the Iraqi people in order to heal the wounds and put an end to suffering, so as to allow the people of Iraq to open a new page on the long road to comprehensive development — development that we all seek within these United Nations.

The President: I thank the representative of the Syrian Arab Republic for his kind words addressed to me and also his words of cooperation to me and my country.

The next speaker inscribed on my list is the representative of Spain. I invite him to take a seat at the Council table and to make a statement.

Mr. Arias (Spain) (*spoke in Spanish*): I am pleased, Mr. President, to see you presiding over the Council on this very special occasion. My delegation associated itself with the statement delivered by Sweden on behalf of the European Union. Allow me to add a view brief comments in a national capacity.

First of all, the question of Iraq raises the need to reach a political, diplomatic and comprehensive solution based on respect for international legality expressed in all of the resolutions of the United Nations from 1991 until the present time, including resolution 1284, with which Iraq must comply and which is the only way to secure the lifting of sanctions and of normalizing its role in the international community. It is also necessary to guarantee the territorial integrity and the political independence of all of the countries in the region, including Iraq.

Secondly, consensus within the Security Council is crucial in order to achieve these objectives.

Thirdly, we support an active role for the Secretary-General, with the impartiality for which he is known, to continue the process of dialogue with Iraq begun in February of this year, for which it is important to create the appropriate conditions.

Fourthly, it is also necessary to effectively tackle the humanitarian catastrophe that is being experienced by the Iraqi people. To do so, we must normalize the civilian economy of Iraq as much as possible.

In this context, the unanimous adoption of resolution 1352 (2001) by the Security Council deserves our whole-hearted support, as do the efforts that are being made at the present time in order to implement, with the same unanimity, the principles behind resolution 1352 (2001) in order to enable us to practically reactivate the Iraqi civilian economy in all of its aspects, with minimal number of necessary restrictions, to guarantee compliance with the main objectives of controlling military exports.

Fifthly, we should not lose sight of the regional situation as a whole and, in particular, the unique and difficult circumstances of the countries that border on Iraq.

Lastly, the Goods Review List, in our opinion, should be as short, concise and clear as possible in order to prevent the current situation of "holds", which makes it difficult to use the benefits of these changes for the Iraqi people, who have suffered unjustly for a decade.

The President: The next speaker inscribed on my list is the representative of Canada. I invite him to take a seat at the Council table and to make a statement.

Mr. Heinbecker (Canada) (*spoke in French*): I welcome the opportunity provided me to express the point of view of Canada on the draft resolution presented by the United Kingdom.

For years now, critics have stressed that the sanctions regime against Iraq was indifferent to the sufferings of the Iraqi people. We admit that the sanctions regime has had weak points, but this draft resolution, if adopted, could eliminate most of these weaknesses once and for all.

(*spoke in English*)

This draft resolution, if adopted, would enable the Government of Iraq to respond more comprehensively than heretofore to the needs of its citizens. Unfortunately, however, there has been no sign whatsoever that the suffering of the people of Iraq has troubled the leadership of that country. Saddam Hussein has not availed himself of the many possibilities already available to him if he wished to help his people, nor has there been a scintilla of evidence that he is now reconciled to living at peace with his neighbours.

For this reason, we believe that constraints on Iraq's freedom remain necessary. So long as Iraq refuses to accept the obligations and responsibilities laid out in successive Security Council resolutions, restrictions on its military capabilities serve all our interests.

On the humanitarian front, the approach embodied by the United Kingdom's draft resolution moves us closer to the objectives of targeted sanctions, which we believe should be the norm for all future Security Council sanctions efforts. In fact, we are disappointed that the strong recommendations developed by the Security Council group on sanctions have still not seen the light of day and we would urge the Council to adopt them as soon as possible. In any case, all those who agree with the need for the Council to be more precise in the employment of sanctions should embrace the approach embodied in this draft resolution, particularly since it so clearly and directly addresses the humanitarian plight of the Iraqi people.

It is a sad paradox that, if the opponents to this approach succeed in sidetracking it, the result will be a status quo ante that they themselves have long claimed to be unacceptable. We understand the concerns expressed by Iraq's neighbours regarding this draft resolution, particularly in light of the Iraqi threat to retaliate against any State that cooperates with the implementation of this approach — that is to say, cooperates with an approach taken by the Security Council. We welcome efforts by Council members to develop mechanisms to address these concerns.

The divisions in the Security Council, evident in the vote on resolution 1284 (1999) and since, have encouraged Iraq's intransigence over the past 18 months. They have fostered the mistaken belief that sanctions would go away. This has not served the interests of the international community; it has not served the interests of the region; and it has most manifestly not served the interests of the Iraqi people. A united and resolute stand by the Council and the countries of the region now would send a clear message to Iraq that compliance remains the only solution. Full compliance will lead to an end to the sanctions, but both compliance and control have to remain our objective.

It is for these reasons that we were particularly discouraged by the interventions we heard on Tuesday from certain Council members. I need hardly remind members of the Council that Article 24 of the Charter specifies that Security Council members are to act on behalf of the entire United Nations membership. Thus, the threat to veto this draft resolution on the basis of acknowledged national, economic or political considerations not only damages the Council's credibility, but also demonstrates once again the need to curtail this instrument. It is not being employed responsibly this time.

We appeal to all Council members to act corporately in the common interest. That is their duty under the Charter; this is our expectation of them as our representatives. We urge all members of the Council to support the United Kingdom's draft resolution.

The President: The next speaker inscribed on my list is the representative of Thailand. I invite him to take a seat at the Council table and to make his statement.

Mr. Singhara Na Ayudhaya (Thailand): I should like to express my appreciation to you, Sir, for convening this important open meeting on the agenda item "The situation between Iraq and Kuwait". I should also like to thank the Russian Federation for taking the initiative of requesting such a meeting.

Like many other countries, Thailand is primarily concerned over the well-being and welfare of the people of Iraq. The sanctions imposed on Iraq by relevant resolutions of the Security Council have brought about hardship for ordinary Iraqi citizens. The suffering, particularly that of women, children and the elderly, has gone on for so long.

We note that the existing humanitarian programme in Iraq, under the auspices of the oil-for-food programme, has, over the past four years, contributed to improving the living conditions of the average Iraqi, according to the Secretary-General's report pursuant to paragraph 5 of resolution 1330 (2000). According to the same report, however, more can be done to alleviate the plight of the Iraqi people and it is incumbent on all parties concerned

> "to refrain from any actions that could exacerbate the already fragile living conditions of the average Iraqi". (*S/2001/505, para. 136*)

In order to facilitate the eventual lifting of the United Nations sanctions, Thailand hopes that Iraq will abide by the appropriate United Nations resolutions and thus help all parties concerned to join hands in finding a long-term and comprehensive solution.

The President: I now invite Mr. Hussein Hassouna, Permanent Observer of the League of Arab States to the United Nations, to take a seat at the Council table and to make his statement.

Mr. Hassouna (*spoke in Arabic*): At the outset, allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month.

We are meeting here today to discuss an extremely important matter, the implications of which require a great deal of objectivity and transparency in our dealings with it. That is precisely what the international community in general, and the Arab world in particular, are expecting.

The situation in Iraq has reached a stage at which we are required to address it urgently and effectively. This situation cannot persist and we must confront it in order to prevent its further deterioration and to end the suffering of the Iraqi people, which has been under the yoke of this regime for almost a decade. The time is ripe for reaching an urgent solution, in accordance with the declaration issued by the Arab leaders at their recent summit in Amman, Jordan, on 27 and 28 March 2001, in which they called for the sanctions imposed against Iraq to be lifted.

They also called for action on the humanitarian issues in connection with prisoners of war and missing persons — be they Kuwaiti, Iraqi or from third countries — proceeding from the principles of our national, religious and human heritage, in accordance with Security Council document S/2001/342.

The principles and fundamental provisions of the Charter of the League of Arab States require compliance with the following principles: respect for the independence and sovereignty of all its member States; non-intervention in their internal affairs; the non-threat and non-use of force; and the settlement of conflicts by peaceful means through dialogue, negotiation and conflict-resolution mechanisms.

Thus respect for the sovereignty of Iraq and the sovereignty of Kuwait is an extremely important matter in arriving at a comprehensive settlement of the situation between Iraq and Kuwait.

The League of Arab States calls for the lifting of the sanctions against Iraq and for an end to the blockade. It would like also to underscore the importance of Iraq's respecting the independence, sovereignty and territorial integrity of Kuwait within its internationally recognized borders. We are therefore not only calling for the lifting of sanctions against Iraq, but also stressing the need to guarantee Kuwait's security and stability.

We believe that any solution to this question should be based on the principles of international legitimacy and respect for all relevant Security Council resolutions. However, this does not mean that the sanctions imposed on Iraq will continue forever or even for a long period of time, or that they will not be reviewed. We therefore call for the use of dialogue as a means of dealing with the current crisis. This is a means we utilized in the past with respect to the Memorandum of Understanding between Iraq and the United Nations, and it is the same means we are using today in our discussion. Perhaps the time is ripe now for the Secretary-General to pursue his dialogue with the Iraqi Government, as begun last February.

Respect for the principles of international law require us also to put an end to all actions and measures that violate Iraq's sovereignty or threaten its security, especially those that are taking place outside the purview of relevant Security Council resolutions.

The League of Arab States calls for an end to pending issues relating to weapons of mass destruction and means of monitoring and controlling them through dialogue and negotiation between Iraq and the Security Council, in conformity with relevant Council resolutions.

We would like also to see the implementation of paragraph 14 of Security Council resolution 687 (1991), which highlighted the need to rid Iraq of weapons of mass destruction. That would represent a step forward, within the framework of a comprehensive plan in this regard, towards the goal of making the Middle East a zone free of weapons of mass destruction. Of course, this also includes all weapons of mass destruction, especially nuclear weapons, owned by Israel, in order to avoid any double standards and to enshrine the principle of dealing with States on an equal footing.

Finally, we are hopeful that the Council will take steps to ensure the settlement of all pending matters under the agenda item "The situation between Iraq and Kuwait", on the basis of the principles enshrined in the United Nations Charter and in accordance with internationally binding resolutions. The Council's success in achieving this goal will be a tangible contribution that will build confidence and quiet between Iraq and its neighbours and will enable us to ensure a bright future for the countries of the region on the basis of robust and stable relations.

The President: The next speaker inscribed on my list is the Under-Secretary-General for Foreign Affairs of Iraq. On behalf of the Council, I welcome him. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Qaysi (Iraq): I wish to thank you, Mr. President, for granting my request to be the last speaker.

First of all, I should like to extend my congratulations to you on the manner in which you have presided over the work of the Council for this month.

(*spoke in Arabic*)

The Security Council is meeting this week to discuss my country's situation in relation to the Security Council. I wish at the outset to reaffirm that the obligations imposed on Iraq under relevant Security Council resolutions are extremely harsh and go beyond customary legal measures to restore international peace and security.

In spite of this, Iraq has implemented all the obligations enshrined in the relevant Security Council resolutions. The provisions of the principal resolution — resolution 687 (1991) — have been fully implemented, as required. Iraq has recognized Kuwait's sovereignty and territorial integrity, its independence, and its borders as delineated by the United Nations.

Iraq has cooperated with the United Nations and fully implemented its commitments concerning the deployment of United Nations observer units. It has also implemented all the requirements of paragraphs 7 to 13 concerning disarmament, in addition to other relevant resolutions, especially resolutions relating to ongoing monitoring and to the import-export mechanism. This was recognized by a number of reports of the Special Commission (UNSCOM) and some of its principal elements after the unmasking of the subversive role played by this Commission, especially during the chairmanship of Richard Butler.

Iraq has returned all the Kuwaiti properties that it could find, and has pledged to return any other material that may be found in the future. A reparations regime has been imposed on Iraq, from which compensation sums are deducted. Iraq has returned all prisoners of war and has fulfilled and continues to fulfil the duty of cooperating in investigating the fate of missing persons. Finally, Iraq has implemented the special demand to condemn all forms of international terrorism.

In addition to the harsh nature of the obligations imposed on Iraq, which has been manifested in many situations by flagrant violations of international law and of precedents in relation between States, another important fact appears in the context of the implementation of the above-mentioned obligations. Iraq has faced all forms of unusual measures, including very perverse changes in the rules and the scope of work; indeed, changes in the very obligations imposed on Iraq as they appear in resolution 687 (1991).

For example, the Security Council has involved itself in an unprecedented manner in the question of the borders between Iraq and Kuwait, not only through the formula for the delimitation of boundaries, but also through the imposition of the principles and manner of the demarcation of borders. This did not suffice. The Secretariat has been used as an instrument of pressure on the Chairman of the Demarcation Commission so as to attain the result sought by the United States and the United Kingdom: the injection of the borders question into resolution 687 (1991).

The evidence, in the form of the records of the Demarcation Commission, is within the Secretariat and is mentioned in the paper submitted to the Secretary-General in the February session. This document has been circulated to the Council.

With regard to the question of reparations, the Security Council has, in paragraph 16 of resolution 687 (1991), admitted that international law is the sole criterion for paying compensation. However, the Council has established for this purpose an unprecedented and astoundingly punitive mechanism based on administrative principles and rules that lack equality or respect for the correct application of law. The Security Council as a political body, according to this mechanism approved by resolution 687 (1991), has decided to replace the judicial function with an administrative, political process controlled by the Council, in addition to its legislative function, which is to legislate the mechanism of reparations. Thereby, the Council has totally disregarded the well-entrenched criterion of defining State liability in international law.

I said that international law has been approved as the sole criterion for the question of reparations in resolution 687 (1991). This has occurred in spite of the fact that the Council does not possess this power pursuant to the United Nations Charter. The Security Council does not have the power to intervene in the implementation of the liability principle according to the Charter. Those who wish to go back and study this matter can look at the work and deliberations of the International Law Commission. This is a United Nations commission, and thus a reparations regime has been established upon political bases, not on the basis of legal considerations and the necessary way of dealing with matters in keeping with natural justice. The United States has and continues to be — and this has been declared by its responsible spokesman — the driving force behind this legally illegitimate regime.

Among the flagrant examples of this is the comprehensive package agreed upon by the five permanent members, which was approved by the Council on 27 September 2000. This package granted the Kuwait Oil Company a compensation of approximately $16 billion. I assume that this transaction and its results are well known to you, because you are all members of the Bureau of the sanctions Committee. This is not the sole example of the injustice inflicted on Iraq by the reparations regime.

Allow me to add two more examples, noting that we had submitted a larger number of examples in our dialogue with the Secretary-General last February. The Bureau, in the case of Government claim number 41, which was submitted by the Kuwaiti Prisoners of War and Missing Persons Committee, has approved compensation in the amount of $153.5 million, whereas the Kuwait Committee, that is, the claimant, has claimed compensation of about $58.5 million. This means that the sum of the compensation decided by the Compensation Commission is equal to $37 million above and beyond double the amount claimed by the claimant. Is this natural? A claimant calls for a certain sum, whereas that body gives him double the amount and an additional $37 million.

Another example among many concerns the failure of the secretariat of the Compensation Commission to verify these claims. Certain United Nations Member States, such as Sri Lanka, India, Yugoslavia and Bosnia and Herzegovina, have noticed that in 575 cases the Commission has compensated claimants twice for the very same claim.

These are some examples of the political nature of the reparations regime imposed on Iraq, which, we believe, is a vindictive punitive measure whose whole purpose is financial gain and not the administration of justice.

In addition to the foregoing, I wish to mention — based on official information available to us, thanks to our contacts — that the sum total that was deducted from our oil revenues for the reparations fund, from the start of the oil-for-food programme in 1996 to 30 May 2000, has reached 12.6 billion dollars, whereas the amount received by Iraq from the resources for humanitarian goods, which we have actually received, is 12.8 billion dollars. Is this reasonable? In the light of the criteria for deduction, which were spelled out in paragraph 19 of resolution 687 (1991) as being the needs of the people of Iraq, Iraq's payment capacity, taking into account foreign debt service and the needs of the Iraqi economy. Is this deduction just?

In light of the fact that it takes place within the framework of a humanitarian programme, which was adopted as mentioned by resolution 986 (1995) and subsequent resolutions on this matter, this has been adopted as a temporary measure out of concern for the serious nutritional and health situation of the Iraqi people and the danger of its further deterioration. Is such deduction in this programme, whose nature is spelled out in Security Council resolutions — just? Why did these deductions reach that magnitude? Because certain influential members of the Security Council have imposed the highest possible level of deductions for this purpose.

In the field of disarmament, whose various subjects have gained special importance, Iraq had to grapple with problems that are not related to the requirements of implementing the obligations spelled out in resolution 687 (1991). As events unfolded over eight years, it became clear that the two bodies charged with this task — that is, UNSCOM and the IAEA — have served as an instrument to realize United States and United Kingdom policies. In the former UNSCOM there was a large number of persons which for years went about their work on instructions from the United States and not according to the requirements of Security Council resolutions. The register is long, detailed and complicated.

Suffice it to say on this occasion that the Special Commission has, in a very clear and unequivocal fashion, adopted a conduct that is translated into placing obstacles, fomenting crises, distorting the concepts of work and emphasizing matters that have nothing to do with weapons dossiers or with those questions that were either secondary or complete, in addition to politicizing technical matters and continuously changing the tasks, thereby prolonging the process by creating all sorts of different considerations.

I wish to state that detailed explanations of these indications can be found in the document that we have submitted. There is no doubt that the United States-United Kingdom objective was clear. Perhaps today it is even more clear, after the admission of certain elements of UNSCOM, which began to come out in the autumn of 1998. The purpose is to perpetuate the blockade imposed on Iraq, in spite of Iraq's tremendous efforts, through which Iraq has essentially and qualitatively implemented its obligations. This has been recognized by elements of UNSCOM who were the basic driving force behind the impediments and the crises. This has been published since the autumn of 1998.

It is regrettable that the Security Council has totally neglected the application of paragraph 14 of resolution 687 (1991). The Council did not take any measure of any sort to implement this paragraph.

Disarmament cannot take place in a vacuum. Unless the Council in due seriousness takes all necessary measures to deal with weapons of mass destruction possessed by Israel and with programmes for possessing such weapons by Iran, the Council will remain guilty of using double standards and selectivity that run counter to the United Nations Charter. There are many detailed examples.

The point which I want to emphasize from the beginning is that Iraq did not spare any effort to implement the obligations imposed on it, in the hope that this would lead to the Security Council taking a position that would be in keeping with its clear obligations vis-à-vis Iraq, just as has been spelled out in the Council's own resolutions. I have emphasized that Iraq has implemented all the obligations imposed on it by Council resolutions. However — and whatever may be the position of certain members of the Council concerning Iraq's implementation of its obligations — this is a question on which we do not have identical views in the Council. The fact remains that what Iraq has implemented, and with whatever reasonable percentage, is large enough to prompt the Council to have adopted, many years ago, a clear-cut resolution that would at least reduce the embargo on the basis of paragraph 21 of resolution 687 (1991), or implement at least paragraph 22 of the same resolution.

In view of paragraph 21, which refers to the two concepts of imposing or lifting the embargo, it is not imaginable that those who authored this resolution did not aim at a certain specific meaning of the term "reducing" the embargo. Therefore, the mention of this term is futile. Through this position, the Security Council could have demonstrated to Iraq and the international community respect for its own resolutions and not for a position vis-à-vis the Iraqi Government. However, this still has not occurred.

The Security Council continues to adopt a static and extreme position, and from time to time it imposes new obligations on Iraq as a result of the positions of the United States and the United Kingdom, which stem from political objectives of their own and have no relation to the objectives and common interests of the international community. The United Nations Charter assumes that the Council would cherish this collective interest because the Council works on behalf of Member States, in keeping with the purposes and principles of the Charter.

I wish to say to the Ambassador of Canada that when he referred to the concept behind Article 24 — that the Security Council acts on behalf of the Members of the United Nations — he omitted to say that that particular commitment on the part of the Council has to be performed in accordance with the purposes and principles of the Charter. In other words, the Security Council is not an absolute authority. It is an authority bound by the purposes and principles of the Charter. This condition is the underlying foundation of the concept of entrusting the Security Council with the task of the maintenance of international peace and security on behalf of the collective membership.

What is the final result? Continuing the embargo against Iraq at a time when the causes for imposing this embargo have been absent for years. Thus, a temporary measure has been transformed into a permanent measure, despite the absence of causes, in a manner unprecedented in the annals of this Organization. There is no doubt that this state of affairs could not have lasted this long without American hegemony over this world Organization, particularly the Security Council, as has been attested by various circles within and outside the United Nations — official and unofficial, political or otherwise — including United States and United Kingdom circles. I will come back to this point later on.

In addition to the above, there are aspects of the relationship between Iraq and the Security Council that have arisen outside the purview of Security Council resolutions. However, these aspects have been completely neglected by the Council, despite the fact that it is the duty of the Council, according to the Charter, to take steps in this regard.

The no-fly zone in northern Iraq was imposed in 1991 and in southern Iraq in 1992. The latter zone was expanded in 1996. In addition, since the official declaration of the ceasefire under resolution 687 (1991), the United States of America has perpetrated three acts of aggression against Iraq: in January 1993, in June 1993 and in September 1996. The United States and the United Kingdom have carried out two attacks: one in December 1998 and one in February 2001. Indeed, since December 1998, Anglo-American aggressive operations have continued without cease, including supporting, financing and training terrorist groups in a bid to destabilize Iraq and threaten its territorial integrity.

In this regard, there is a basic contradiction. The Security Council continues calling on Iraq to comply with its resolutions. Despite that, the Security Council has shown no reaction to the coercive no-fly zones imposed by the United Kingdom and the United States on Iraq without any Security Council resolution authorizing these two countries to carry out these aggressive operations. These aggressive acts of the United States and the United Kingdom contradict the official ceasefire stipulated by resolution 687 (1991). The Security Council also remains silent concerning the aggression that is committed against Iraq. This is attributed also to the policies of two permanent members of the Security Council — the United States and the United Kingdom. This constitutes a flagrant violation of the official ceasefire under resolution 687 (1991).

In the final analysis, this can be considered the destruction of the basis for the resolution and all that ensues from it. Did the Council rectify this serious situation? This is a gross violation of the fundamental concepts of the Charter. Is it not a strange contradiction that Iraq would be asked to abide by Security Council resolutions at a time when two permanent members of the Council do not abide by resolutions adopted by the Council vis-à-vis Iraq, despite the fact that those two countries were the two main promoters of the above-mentioned resolutions?

The main conclusion, in this context, is that the Council has not fulfilled its obligations towards Iraq. It does not respect its powers and functions as spelled out in the Charter, which have been entrusted to it by the Member States on their behalf, in keeping with the purposes and principles of the Charter. This has all resulted from the policies of the United States and the United Kingdom aimed at my country — policies that run counter to the principles and provisions of Security Council resolutions. Therefore, action is required by the Security Council, not by Iraq.

It should be recalled that the Security Council has not disregarded the negative impact of the continuing embargo against Iraq. They refer to the adoption of the humanitarian programme adopted by the Council, according to Security Council resolution 986 (1995). This is the position of United States and the United Kingdom officials who constantly ask, "Why does Iraq complain? It has the humanitarian programme." Much has been said about that, including during the first part of this meeting, on Tuesday, 26 June; I shall return to this point later. It was repeated by a number of representatives following Tuesday's statement by the representative of the United States.

Let me address this question by retracing its background, for it appears that we live in an age when people forget things — or pretend to forget them if it suits their interests at any given moment. Resolution 986 (1995) was adopted on 14 April 1995, on the basis of a United States effort cloaked in the guise of a draft resolution submitted by Argentina. My Government considered its conditions and provisions to be completely unbalanced, which led us to reject it. As a result of contacts begun by the previous Secretary-General, Mr. Boutros Boutros-Ghali, on 6 February 1996, lengthy negotiations ensued between Iraq and the Secretariat with a view to reaching an agreement on implementation of the provisions of the programme set out in that resolution in a balanced manner that would preserve Iraq's sovereignty, security and dignity.

The required memorandum of understanding was signed on 20 May 1996, in spite of United States objections and obstacles to negotiations. I know what I am talking about here: the United States has submitted 32 amendments to the final text of the memorandum of understanding since my Government came to an agreement with the Secretariat. The arrangements set out in the memorandum of understanding have passed through nine phases as of the end of June 2001. The Iraqi Government has complied with its provisions as a provisional measure, as stipulated in resolution 986 (1995), to ease the suffering of the Iraqi people, which is caused by the blockade. But it must not be forgotten that the Iraqi Government has continued to call for the total lifting of the blockade.

In that context, the Iraqi Government has cooperated with United Nations agencies in discussing and identifying the needs of the sectors covered in the distribution plans, in the hope that those urgent needs of the Iraqi people would be met, at the proper time within each phase.

But many things have prevented the attainment of the humanitarian objectives of the oil-for-food programme. The representatives of the United States and of the United Kingdom, along with some other representatives who spoke after them, accused the Iraqi Government of being the principal reason for the failure to achieve the programme's desired goal. They claim that we are the cause. I shall later revert to this point as well.

As I said, many things have prevented the attainment of the humanitarian objectives of the oil-for-food programme. These include the complexity of the measures adopted by the Security Council for the implementation of the memorandum of understanding, and interference by the United Kingdom and the United States in its implementation. We have seen unfairness in the distribution of revenues from the sale of Iraqi oil. We have seen the United States and the United Kingdom persist in their policy of putting contracts on hold on imaginary pretexts. We have seen contracts dealt with in a selective manner, objectionable bureaucracy in the way that contracts are submitted, delays in preparing letters of credit, late arrival of goods, and an accumulation of moneys allocated for operational and administrative costs of United Nations operations and for covering the expenses of the former United Nations Special Commission (UNSCOM) — even though there are currently no operation costs to be covered. Vast sums are removed for the reparations fund. The principle of good performance in international commercial transactions has been disallowed. We have seen inadequate financial management, as revealed in the report of the report of the Office of Internal Oversight Services on just part of the Programme (*A/55/436*). We have also seen the failure of the demining programme and of the electricity sector programme in the three northern governorates. The Programme's officers and other United Nations officials have also violated their obligations under the memorandum of understanding.

Those examples, with full details, were submitted during the first round of the dialogue with the Secretary-General last February. The relevant documents have been distributed to members of the Council.

In addition to all that I have mentioned, I want also to refer to some grossly inadequate conditions surrounding the implementation of the so-called humanitarian programme of which not all members may be aware.

Is it reasonable that disbursement under a programme whose revenues total billions of dollars, billions of euros, should be subject to no external audit by neutral certified auditors from outside the United Nations system? Is it conceivable that the agencies responsible for implementing the Programme should be permitted to charge a commission in return for that implementation, and then use that commission to cover all their activities, both those related to the Programme and those totally unrelated to it? Is it acceptable to members of the Council that that greed knows no limits: buying vehicles, paying administrative costs, purchasing equipment? Is it acceptable to members of the Council that Iraq should be forbidden to make use of administrative material and equipment used by the Programme — purchased with Iraqi money — including vehicles and computers, even after the Programme no longer uses them, and even though the computers are destroyed on orders from New York when they have been replaced with new systems? Iraq's request to use the old computers has been rejected.

Could you accept the fact that the resources of the programme are utilized to rent personal housing for some of the directors of the agencies in Iraq? Can any Government in the world accept the non-informing of the Iraqi Central Bank or provide it with any information concerning the banking operations relating to Iraq's resources — to the tune of billions of dollars? The Iraqi Central Bank has no inkling of what happens in United Nations banking operations concerning Iraqi resources, even though the Memorandum of Understanding stipulates the appointment of a liaison official from the Central Bank to be apprised of this information and coordination. We did this. That person goes to the Bank, where they tell him he is not allowed to enter. They say he has to come back with United Nations approval. So then he goes to the United Nations, which tells him that it is not permitted because it is a question within the purview of the Secretary-General. That same person remained in New York without work for six months.

Is it fair that purchases are imported and that purchasing offices are established abroad at a time when those materials can be provided at lower cost in Iraq? And you are speaking about the cash component? Is it acceptable that the procurements handled by some of the agencies responsible for northern Iraq are less efficient and more costly than their counterparts in the Iraqi Government working on acquisitions for the southern and central provinces? Is it acceptable that the policies of personnel interest are subject to no monetary control which is what occurred over the Easter holidays this year when the financial officers of the Programme and the agencies in Iraq were dispatched to Geneva. For what purpose? Merely to explain a financial sheet form, an accountancy application form. This was the purpose of sending all of the financial officers of the agencies who work in Iraq.

As Governments or as members of the United Nations, can you accept the fact that a secretary from Paris was dispatched to Baghdad to replace a secretary who was granted a one-month holiday abroad? This happens in the so-called humanitarian programme. Have you not noticed that the reports of the Programme's office in Iraq have not mentioned, since 1999, any detailed schedules concerning the various financial transactions in different phases and how these sums are disbursed? Why have they not been mentioned? Could the reason be perhaps that we and others concerned have begun to refer to their contents and to the many shortcomings of the Programme? Why do these reports not refer to the field reports? Why are they not mentioned in the reports of the Secretary-General? These detailed examples upon which we stumbled, either by analysing documents or by hearing the flapping of a loose tongue, deserve denunciation, at the very least. Undoubtedly, many such examples are institutionally covered up in order to keep us in the dark about our financial revenues.

Our purpose in raising these few examples is not, frankly, to cause controversy. Rather, the objective is to reveal the facts that we have discovered in our experience with the humanitarian programme, a programme that we expected at least to put an end to the deterioration in the living conditions of our peoples under the unjust embargo. It is worth stressing that we certainly did not fail to refer to many of these aspects in dozens — indeed, hundreds — of letters to the Secretaries-General and in many contacts with the office of the coordinator of the Programme in Iraq and the oil-for-food programme in New York; so far, we have not seen any serious move to bridge these discrepancies.

We formally call on the Security Council today to undertake an appropriate investigation into these matters. We call for the results to be published, so that they may be available to the members of this Organization and international public opinion. We formally call on the Security Council to undertake, as expeditiously as possible, an external audit of the accounts of the Iraq Programme, as well as the agencies, offices and committees linked to the oil-for-food programme since its inception. Such an audit should be undertaken by an external financial auditing organization known to be qualified and neutral, chosen in consultation with my Government. In a letter dated 3 April 2001 from my Government's Minister for Foreign Affairs to the Secretary-General (S/2001/324), my Government called for such an audit. To date, we have received no reply. Therefore, we are calling formally on the Security Council to do so.

Such a programme, with the shortcomings to which I have referred, cannot possibly create an effective regime that would satisfy the humanitarian needs of the Iraqi people. I would like to remind, in detail, all those who have blamed my Government as the cause for the failures to achieve the humanitarian objectives to recall the opinion expressed by the second of those groups created by the Security Council under Ambassador Celso Amorim to take up the humanitarian situation in Iraq in 1999. He said:

> "the humanitarian situation in Iraq will continue to be a dire one in the absence of a sustained revival of the Iraqi economy, which in turn cannot be achieved solely through remedial humanitarian efforts."

You may find the exact text in Security Council document S/1999/356, annex II, paragraph 58. That was the very last paragraph of the Amorim report. This clearly means that the cure is the lifting of the embargo.

Let us take up how the Security Council has acted since then. I must again go back to the background of the issue. It seems that some choose to forget and others to ignore the background. It may be recalled that when the Security Council was taking up the reports of the Secretary-General and the former United Nations Special Commission (UNSCOM) and the reports of the International Atomic Energy Agency (IAEA) on 16 December 1998, the United States and the United Kingdom surprised the Council and the entire world by waging aggression against Iraq. Thus ended the Security Council's deliberations on the comprehensive review of Iraq's compliance, aimed at certifying that Iraq had been effectively disarmed in order to then lift the sanctions, which was the very proposal submitted by the Secretary-General on 6 August 1998. The Council remained for a while unable to act in any way whatsoever, and the United Kingdom and the United States were exonerated of any responsibility. At the same time, Iraq's rights were being totally ignored. And efforts quickly resumed to cover up the illegitimacy of the Anglo-American acts and to address the situation.

Let me recall the Canadian proposal to create bodies. The Amorim groups were created to undertake an initial review of the two dossiers — disarmament and the humanitarian situation. Then a third group was added by a Kuwaiti effort, supported by the United Kingdom and the United States, on the issue of missing persons and the return of property. Following the end of the activities of the Amorim groups and the debate on their reports, the United Kingdom, clearly supported by the United States, made strong efforts to submit a new draft resolution, and that took several months. As a result, resolution 1284 (1999) was adopted on 17 December of that year. On 19 December 1999 Iraq declared that it would not deal with that resolution because it did not respond to Iraq's legitimate call for the lifting of the embargo, and it made no mention whatsoever of the aggression against Iraq and the daily breach of its sovereignty by the imposition of no-fly zones by the United Kingdom and the United States.

Iraq stated that the true objective of the United States and the United Kingdom in the resolution was not to lift the embargo. Indeed, it was an attempt to mislead international public opinion, because the concept of suspension in the resolution was new — a concept that required a long and complicated series of new and unclear conditions, which could have been interpreted in many ways. So the resolution had no guarantee that suspension would in fact take place.

Furthermore, the timelines in the resolution were very long, artificially long. These timelines, the Council may recall, were laid down to follow the progress and development of elections in the United States of America. The timelines show the intention of the United Kingdom and the United States to perpetuate the illegal no-fly zones in northern and southern Iraq, acts of military aggression, the illegitimate American intervention in internal affairs and the overt attempts to change the national political system in Iraq.

We also made it clear that in substance and in form that resolution is a mere illegal rewriting of resolution 687 (1991). We also made it clear at the time that the stringent, vague conditions surrounding the concept of suspension — a new and rather illusory concept, as I have stated — were new conditions not stipulated in previous resolutions. They were placed there to ensure that any suspension, if it ever took place, would have no substance and no benefit for Iraq, as well as being an arbitrary restriction of Iraq's sovereignty over its economy and resources. Again, the situation remained unchanged.

However, the international campaign to lift the sanctions on Iraq and to end the crime of genocide being perpetrated against the people of Iraq continued and escalated. With the coming to power of the new United States Administration at the beginning of this year, American officials began to state that the sanctions regime against my country was faltering, that it was full of holes, like Swiss cheese. They also stated that one of the major concerns of the new Administration was to revitalize the sanctions against Iraq. This concept of revitalization began to take form shortly thereafter, when talk began on so-called smart sanctions, which were claimed to be a lessening of sanctions on people and a strengthening of sanctions on the Iraqi Government. Kindly do not forget that the new United States Administration opened its file in dealing with Iraq with an act of aggression on the night of 16 February 2001. In May, during the United States presidency of the Security Council, as usual, the United Kingdom expressed the United States position in the form of a draft resolution in the guise of the humanitarian oil-for-food programme, whose ninth cycle was to end on 3 June.

Since then, draft resolutions and proposed amendments have come and gone in the Security Council and the permanent five have been working essentially to find an acceptable formula. When the ninth cycle of the oil-for-food programme was almost complete and it had become clear that agreement on an acceptable draft resolution, as proposed by the United Kingdom and the United States, was impossible, the Security Council adopted resolution 1352 (2001) on 1 June 2001, extending the oil-for-food programme for one month. A paragraph was inserted that was to be a foothold for new arrangements, based on the concept of the Anglo-American draft, to be implemented for 190 days following the end of the first period.

Iraq has refused to deal with that resolution for two fundamental reasons. The first is that it uses the oil-for-food programme as a cover to push through the Anglo-American formula on smart sanctions. The second is that extending the programme for one month is hardly sufficient to implement its two wings: the export of oil and the import of civilian goods.

Iraq's stance is not new; in the past, it rejected resolutions 1275 (1999) and 1280 (1999). Resolution 1275 (1999) extended the programme for two weeks, while resolution 1280 (1999) extended it for one week in order to give the Security Council the opportunity to achieve consensus on resolution 1284 (1999). As a result of our position vis-à-vis resolution 1352 (2001), we ceased exporting oil under new contracts as of 4 June. Nevertheless, the United Kingdom and the United States did not abandon their attempts to ensure the implementation of the new smart sanctions regime. On many previous occasions, Iraq has declared that it will not deal with such measures in any form whatever.

The United Kingdom and United States circles that advocate this new regime claim that the objective is to free trade with Iraq from all restrictions, and even to expand it, and to prohibit only illegal trade in dual-use materials. However, the details show the misleading nature of that claim. I shall address that point later.

The fundamental content of these drafts entails a de facto new regime for blockading Iraq. There is no easing of sanctions. The so-called free trade with Iraq claimed for civilian goods has been subject to many restrictions and conditions, as well as oversight by a number of bodies — including UNMOVIC, the Committee established under resolution 661 (1990), the Office of the Iraq Programme and the Security Council as a whole — in a way that rewrites the conditions and mechanisms of the Memorandum of Understanding between Iraq and the Secretary-General, which has been implemented for nine full cycles.

The new regime pushed by the United States and the United Kingdom rewrites Security Council resolutions, in particular paragraph 24 of resolution 687 (1990), resolution 700 (1991) and resolution 1051 (1996). Furthermore, this new regime takes control of all Iraq's financial resources, places them under United Nations control and disburses them without any role for the Iraqi Government. Moreover, this does not affect Iraq alone. The regime attempts to control all the dealings of Iraq's neighbours and subjects them to many restrictions in order to close the vise around Iraq.

The new regime is overtly misleading because it contains measures relating to civilian flights and to the payment of Iraqi contributions to international organizations. The first issue was imposed on Iraq on the basis of the principle of force — the simple might of force. The other is related to a legitimate right of Iraq as a member of international organizations, the denial of which right by the United States and its allies seeks to isolate Iraq politically from the work of those organizations. Resolution 661 (1990) does not cover the payment of those contributions.

(*spoke in English*)

Such payments are a financial transaction that was not prohibited under resolution 661 (1990) so as to enable Iraq to pay it in the first place. It is an obligation that accrues as a result of Iraq's membership of the United Nations. If anyone should be concerned about this, it is first and foremost the Secretary-General and his Legal Counsel. Now, it is being given to us as if it were a donation or a gift. "You see, you have a benefit."

(*spoke in Arabic*)

Finally, confusing the new punitive regime of smart sanctions with the oil-for-food programme means that the Security Council's commitment to Iraq to lift the embargo imposed under resolution 687 (1991) has been replaced by an ongoing programme that is claimed to be humanitarian and of help to the Iraqi people. We totally reject any such formula. There must be no illusion whatsoever concerning the firmness of our position on smart sanctions. We do not believe that any State or any sane person can expect another State to participate in a project, the ultimate objective of which is to end its existence as a sovereign entity. The Anglo-American plan, the French ideas and proposals and any attendant concepts will entail a full expropriation of the fate of the Iraqi State and people in all fields — politics, economics, development, trade, industry, finance and society.

Therefore, our rejection of such plans and their ultimate objectives rises, in our view, to the level of struggle for national independence, whatever the sacrifices involved. The so-called smart sanctions are but a new facet of neo-colonialism. We utterly refuse to be transformed into a mere consumer society — a society that eats but does not think, enjoys but does not produce — and for whom? For foreigners.

This position of ours, I can assure the Council, is not just rhetorical. It is a genuine position. The Security Council has from the very beginning dealt with the Iraqi people in an unfair manner with respect to food, medicine and some civilian humanitarian requirements.

(*spoke in English*)

Resolution 661 (1990) seemingly talks about exceptions to sanctions. What were these exceptions? Let me remind the Council: medicine and food, in special humanitarian circumstances — food, in special humanitarian circumstances. When the Legal Counsel was requested to provide a legal opinion on the meaning of the term "special humanitarian circumstances", so that the Security Council and the Committee established by resolution 661 (1990) would know what that entails, the Legal Counsel at the time, Mr. Fleischhauer, produced a mind-boggling three-page legal opinion. If anyone reads it, and I invite members to do so, would they be so kind as to tell me whether they understood any of it? It is just a whirlwind.

So when I say that right from the very beginning, sanctions were imposed in a way that is not sincere and honest, I mean what I say. Education was under sanctions. Information was under sanctions. Has such a thing ever been heard of in the annals of the United Nations? This was not done even in the case of Rhodesia or South Africa. Why was it done in the case of Iraq?

Nothing for the brain — only medicine and food, in special humanitarian circumstances. Even under the humanitarian programme, no allowance is made for the brain, for culture, for information, for the fabric of society, for industrial, agricultural and scientific advancement — for what is needed to run a State.

Of course, the reason behind all of this is not difficult to comprehend.

(*spoke in Arabic*)

From the very beginning, the goal of imposing and perpetuating such a harsh and unjust embargo against Iraq was political — simply put, the goal was to change the national political regime in Iraq. Every single person in this Chamber is aware of this.

That goal is not the collective objective of the members of the international community, as represented in the United Nations.

(*spoke in English*)

Those who speak on behalf of the international community are simply uttering a falsehood here. They do not represent the international community in this policy. Toppling the Government of Iraq is not the collective interest of the membership of the United Nations. It is not in the resolutions of the Security Council.

No sooner was resolution 687 (1991) adopted than Sir David Hannay made a statement to the press saying that this would help topple Sadaam's regime. Similar statements were made by President Bush senior.

If one reads Ian Johnston's study, which was published by the United Nations Institute for Training and Research (UNITAR), on this very question — on how resolution 687 (1991) was brought about — one can find it there, in black and white. But perhaps the Council does not have time to follow these things. It is so busy in that small room, consulting separately from those who should be working with it as its main partners.

(*spoke in Arabic*)

The United States, its Zionist ally and those who follow them and are influenced by the old colonial mindset are promoting all of these games. Those who shift the blame onto the national Government of Iraq must remember that this regime is the very same one that brought to the country the highest level of development ever, as acknowledged by the international organizations concerned.

They must also recognize that what they refer to as the faltering of the sanctions regime represents in reality a concrete reflection of the lack of conviction of the majority of the international community. This does not represent their collective goal.

We are confident that the old imperialist, Zionist and colonial schemes to contain the situation are bound to fail. It is no secret that the issue as a whole has nothing to do with the implementation of Security Council resolutions. It is not that Iraq continues to be a threat to its neighbours, or that the problem stems from the policies and practices of the Government of Iraq.

The powers and functions under the Charter are clear and are fully explained in jurisprudential and judicial references. International legality, as represented by Security Council resolutions on many issues, has become the subject of ludicrous comments in many reference books. Those reference books talk about

(*spoke in English*)

the appropriation of international legitimacy by the United States and the privatization of the Security Council by the United States. Those who are using such terminology are eminent American international lawyers from the very respectable University of Michigan.

This is the arrogance of power.

(*spoke in Arabic*)

What is required now, therefore, is to rectify the dangerous situation affecting Iraq, so that Iraq can indeed feel that the Security Council is dealing with it in a just, balanced and evenhanded fashion instead of fighting with it and issuing orders to it, so that those who have a hidden agenda against Iraq can take a particular course of action. The siege imposed against Iraq must be lifted, and indeed it will. The sovereignty of Iraq must be respected and all interference in the domestic affairs of Iraq must come to an end. The grievances of Iraq must be addressed fairly. These elements will ensure security, peace and stability in the region.

The Council must pay attention to the hypocritical policy of double standards pursued by the United States and the United Kingdom by comparing its role in supporting the Zionist entity against the Palestinian people, starting with the settlements on the Palestinian territory then continuing with the suppression of the glorious Palestinian uprising. The uprising and Iraq's steadfastness against the hegemony of the United States have become the motto of all Arab peoples. I am not talking about Arab Governments, but they, too, have started to feel that this is the only means that would advance their nations in order to join the mainstream of human civilization.

Yesterday we heard much from the representatives of the United States of America and the United Kingdom, and a long list of speakers followed. We heard what any fair-minded person would not let pass without reply.

(*spoke in English*)

From these two representatives collectively — I realize that I am taking too much of the Council's precious time, but allow me with your indulgence, Mr. President — we heard — according to the United States — that a better name for the "oil for food" is "oil for development", because such a term more accurately reflects that even today the Iraqi regime could redevelop the country using the oil-for-food programme. Similar notions were also propagated by the representative of the United Kingdom. We heard that it is the Government of Iraq that is responsible for not getting that programme to its ultimate objective, and I have been addressed, personally or as representative of my Government, by speakers blaming my Government and calling on it to cooperate. Some even went to the extent of quoting from reports of the Secretary-General to that effect, and they mentioned the question of the visas, the question of opening letters of credit, the question of delays in concluding contracts and whatnot. Do they really know the facts? When someone speaks in this Council on behalf of a Government, they have to be relatively sure of what they say, not be ill-informed and just speak in alliance to produce a statement for God knows what ulterior motives or reasons of personal interest. I am sure that everyone here understands what I mean by reasons of personal interest.

We are being told that these new arrangements have to be finalized by 3 July because they represent the bridge between the humanitarian programme and resolution 1284 (1999); and that resolution 1284 (1999) had a humanitarian component but it was not enough, so we have to improve it. We have heard so many Ambassadors here today and talking about the improvements introduced by the Council in resolutions 1302 (2000), 1330 (2000), etc. Thank you very much for the improvement. On what? Let us see what improvement was made in those resolutions and in resolution 1284 (1999).

Iraq has to comply with resolution 1284 (1999) on weapons and has to cooperate on the oil-for-food programme. Once that is done sanctions will be suspended, then lifted. So easy. Why has the suspension on Libya not yet become a lifting? We have to wonder why; or are we even prevented from wondering?

When we consider resolution 1284 (1999), our position in that respect and with respect to smart sanctions, the one that I am outlining today, is not an emotional position that is coming out of an irrational mind, an accusation those with ill will against Iraq try to vilify us with. It was a well-considered position based on objective analysis as to what it has entailed and what it will entail. I will give just one example in order not to take too much of the Council's time. That resolution requires inspectors to return. To do what? To carry out enhanced and ongoing monitoring and verification regimes to be implemented by Iraq and to settle remaining disarmament issues; and ultimately if the new Commission and the International Atomic Energy Agency (IAEA) report that Iraq has cooperated in all respects and made progress on all the outstanding issues then we get suspension.

I say "Welcome". Let us see on the basis of the record how this works out, on the basis of your own entities' records.

The Council will recall that when Butler and his team and the IAEA were readmitted to Iraq to do certain inspections in order to report to the Security Council on whether Iraq was cooperating so that the Council could get under way with the comprehensive review, the two combined teams carried out 300 inspections of a total of 427 sites. When the report was submitted to the Security Council, Butler reported that Iraq did not cooperate fully, whereas the IAEA reported that Iraq provided the highest possible level of cooperation. Why did Butler report that Iraq did not cooperate fully? Because of five incidents out of 427. By any calculation, the five incidents out of 427 represent 1.17 per cent; that is to say, cooperation was provided to Butler 98.83 per cent of the time. By any standard that should have at least been considered to be quite sufficient to say "Thank you, Iraq", and for the comprehensive review to get under way. What we got in return was five days of intensive bombing by the United States and the United Kingdom to derail the whole process. So what guarantee is there, when you have resolution 1284 (1999) formally like this — cooperation in all respects in order to achieve progress. What progress is that when the resolution contains the provision that if even a minor official in the field says that there is no progress, then the suspension is suspended.

Renewing the suspension needs discussion and approval in the Security Council; yet one report of even a petty official automatically cuts it off. So how do we deal with that? Is it not a fact that some members around this table consider that there are many ambiguities in that resolution that need to be clarified? Some of them are permanent members.

Is this going to bridge the gap, really?

An allegation has been made, that found in the statements by the representatives of the United States, the United Kingdom and those who followed suit, that it is the Iraqi Government who prefers to have the status quo continue at the expense of the suffering of its own people. What if that is so?

Why have we been working with the United Nations since 1991? Regardless of judgements as to how hard we have been working, what we have achieved, et cetera? Why have we not stopped working throughout those years I am referring to?

On the question of granting visas, people have been talking a lot in favour of that but, let us not forget: the distinguished representative of the United Kingdom tells us that his approach is really being presented in good faith. 'In good faith' in the sense that these proposals are being presented within the framework of resolution 1284 (1999), and that this approach is in response to calls made by the international community to alleviate the plight of the Iraqi people. And they say it is only the Government of Iraq that is responsible for achieving that particular goal, the alleviation of the plight of its people.

Before he said that, he talked about the cash component in the oil sector and how the intention really was to help Iraq take it up, but Iraq did not. Iraq did not take the cash component in other sectors. As you know, the cash component in the oil sector was approved by the Security Council. Paragraph 50 of Security Council resolution 1330 (2000) allowed funds of up to 600 million euros to be used to cover the costs of the local expenses of the Iraqi oil sector. A team visited Iraq during the period March 18 to April 2. Our experts worked with the team, and they conducted extensive site visits. The team presented its report to the Secretary-General at the end of last May. The Secretary-General presented that report to you, and it is now in the document S/2001/566 of June 6. In that particular report, there is a recommendation that 600 million euros should be transferred to the Iraqi Ministry of Oil via the Rafidayn Bank in Jordan from funds accumulated during the ninth phase of the Memorandum of Understanding, and that a further 600 million euros should be transferred in a similar manner in the following phase, making the total allocation equivalent to 1200 million euros.

First, the British ambassador tells us they are ready to agree to this proposal, but notes with regret that Iraq continues to block the implementation of the cash component elsewhere in the Iraqi economy. Now, what is the connection between the oil industry and the rest of the Iraqi economy?

Why did you not clear it for the oil industry? Why is it not cleared yet by the United Kingdom? Have you? I may be wrong, my information says you have not.

Second, in the draft that is being discussed and proposed, and in the ideas going around this table, there is no reference whatsoever to this particular question. What does that mean? What we see in the draft, drafted to improve Iraq's trade with the outside world, provided no money goes to the Iraqi Government, is that it is the lot of the Iraqi people, which is the concern of the Security Council, the British, and the Americans. They are so paternal. All of a sudden they turned in favour of the Iraqi people. We are grateful. So they brought forth the idea that they will select the companies, according to certain criteria, which will be able to deal in Iraqi oil. No other companies are allowed. In the present system under the memorandum of understanding, there are oil companies that register with the United Nations and those companies are the ones that buy. Paragraph seven of the United Kingdom's draft is very vague, but at least it is clear that companies will be selected according to certain criteria, and they are the only ones who are allowed to deal in Iraq's oil. Do we have any guarantee that those companies are not going to be fat cats of Western origin and be the only ones allowed to buy Iraqi oil? Do we have any guarantee that those companies, Mr. Ambassador, are not going to be the ones who will employ that particular facility you give them under the resolution to play havoc with oil prices at the international level, and even to the extent of possibly intimidating the Organization of the Petroleum Exporting Countries (OPEC) with regard to their pricing policies. You do not have such guarantees. You are not providing any flexibility to Iraq to choose its customers. And you know, with oil, it is a specific and specialized industry, it is not any customer that counts.

How do we sell oil now under the Memorandum of Understanding? Specifically with regard to the price? Around the end of each month, Mr. President, the Iraqi State Oil Marketing Organization (SOMO) communicates with the United Nations oil overseers by fax and telephone. The oil market is discussed in general, and the prices of Iraqi crude oil are evaluated in the light of the values of the other crude oils. Iraqi crude oil prices are set in relation to price of crude oil in other markets, such as Brent, West Texas Intermediate, Oman, and Dubai. Then, after taking into consideration transportation costs, quality deferentials, and other relevant factors, the price is set.

What the British proposal would lead to is an intervention in the pricing of Iraqi crude oil, which would entail the complete destruction of the relationship between supplier and buyer. The end result, which is not mentioned in the resolution, is to use Iraqi oil as leverage, because it will be under tight control, and to transform the oil market and maintain it at all times as a buyer's market rather than a seller's market. This is the alleviation of the suffering of the Iraqi people.

Regarding the talk about the cash components in other sectors, such an arrangement would place Iraqis into two categories: a category in the north and a category in the south. Any local production, when bought, and any cash component being spent in that particular field, would be used to remunerate and to punish, by taxing all Government policies, whatever objective they may have. We are not the only ones who are saying that that particular provision is ill-advised. My information is that even some United Nations officials find that provision ill-advised.

We are being told that the list that is going to be attached to the resolution is really not a denial list; that it is just a review list. So the Security Council really has to accept it. What guarantee do we have that at the end of the day the policy of putting contracts on hold is not going to continue?

I have a paper here — not an Iraqi paper — a United Nations paper. It is a weekly update from the Office of the Iraq Programme, covering the period 16-22 June 2001. I quote from that paper:

> "Despite the 661 Committee's further release from hold of four additional humanitarian supplies contracts on the condition of close end-use monitoring by United Nations observers in Iraq, which contain '1051' list items, the total value of contracts placed on hold by the Committee rose slightly last week. It now stands at $3.2 billion, still representing 14.7 per cent of the value of all contracts circulated to the Committee. The release contracts were for sewage pipes, foot-and-mouth disease vaccine and intelligent pigging.
>
> "All together during the week, the Committee released from hold 24 contracts worth $45.5 million, while placing holds on 37 new contracts valued at $98.6 million."

So the Council releases $45 million. The Council holds $90 million. What guarantee do we have that this is not going to happen? How will Iraqi trade be free in the interest of alleviating the suffering of the Iraqi people, as the proponents of the smart sanctions draft say they are so keen to achieve?

There is really one good thing about this whole proposal submitted by the United Kingdom and pushed by the United States. Not a word about the no-fly zone? Why the no-fly zone? I know what they will say: It is to protect your neighbours from your threats. It is to contain you because you have a tendency to renew weapons of mass destruction. It is no good for them now; even their own officers, whom they used to employ in the United Nations Special Commission, said that Iraq is qualitatively disarmed, it is no good now. Now there is another direction.

The British Ambassador said in his statement that they have worrying evidence that the Iraqis are re-arming. Show it, Mr. Ambassador. Where is that worrying evidence from? Put it on the table. Let the Council discuss it with Iraq. Do you want us to forget how, in 1998, when we were discussing the proposal for a comprehensive review with the Secretary-General and we cooperated fully, and when the Secretary-General sent a paper to the Council on how the arrangements for that comprehensive review were going to be conducted, the British Ambassador jumped into the arena and used the Council and pushed it to write a letter to the Secretary-General, putting terms and conditions on the comprehensive review — for one reason only. Because Kofi Annan's paper put the burden of proof on any side that alleges that Iraq still has weapons of mass destruction. The British letter that was sent and approved by the Council switched the burden of proof.

Even that was not enough. They had to strike at Iraq in December 1998 to kill it completely. So now we hear about worrying evidence. What worrying evidence is there? An article pops up in the press talking about Iraq rearming in this field and that field, only to be discredited about three or four weeks later. If we are going to go into a cycle of allegations followed by the disproof of allegations, will there be any end in sight to this whole exercise? If Mr. Butler goes to the extent of saying that even antiperspirants contain certain ingredients that can be extracted and mixed with a certain chemical that exists in hairspray and you can produce biological weapons in your bathtub, to that extent of audacity I say no.

Oh yes. Some are concerned about visas. The Secretary-General's report is concerned with visas and obstructing visas. Well, I am not going to belabour that point because we have fully addressed that question in a letter sent by us to the Secretary-General, and it was circulated as a document of the Security Council in document S/2001/324. In that letter we gave the Council in detail the numbers of visas that we have granted and the numbers of visas that the Office of the

Iraq Programme sometimes requests from Iraq, including those requested for irrational purposes, as if giving and requesting visas were the only consideration, and that were the only way to achieve the objectives of the humanitarian programme.

One hundred forty visas are requested for so-called international experts to work in the electricity programme in the North, and 103 visas are requested for so-called international experts to work in the demining programme in the North. If members read the letter, they will see that the demining programme would make taking out any mine the most expensive venture in the world, because the paraphernalia that surrounds the location and demining process causes it to be so. We are not against demining in the North, but the world standard relating to the cost of demining, as estimated by disarmament bodies, is around $2,000 per mine, while the cost of demining through the United Nations project is around $21,000 per mine. The figures speak for themselves.

The quantity of food imported for 28 dogs utilized in the demining programme in the North for the period July 1999 to June 2000 was 11 tons. The price was around $33,000. As the number of dogs was 28, the value of each dog's share was $1,143. By extrapolating that share on an annual basis, it comes to $1,248 per dog per year. Every three dogs have the services of a pickup truck, a trainer and two guides, and every five dogs have a veterinarian. Lately, we heard, the dogs have been suffering from some sort of inertia, so they brought bitches to them so that they could allay their sexual desires. But the puppies are being sold on the market in the North.

What is an individual Iraqi's share of the humanitarian programme, calculated on the basis of the value of goods received? The value of that share includes not only food, but also health services and everything else. That share is $125. So a dog's food is 10 times the share of a human Iraqi, on the basis of goods received.

There has been talk with reference to the Secretary-General's report that Iraq has not speedily concluded the contracts for phase IX, and that that has prevented the Programme from getting so many billions of dollars. According to paragraph 15 of the report of the Secretary-General, document S/2001/505, not a single application under the health, water and sanitation, and oil sectors has been received.

Before I came to this meeting, I lunched with the Minister of Health of Iraq, who was here for the special session of the General Assembly on HIV/AIDS. He confirmed to me that before the end of phase IX, perhaps before the preparation of the report — and the Secretariat did not rectify this — he had signed contracts in the health sector not merely for the amount allocated to it in the memorandum of understanding or the distribution plan, but had even gone over and above that amount. I am sure that, if I checked with other Iraqi authorities, they would tell me what I know for a fact: that they have done the same thing. So that criticism is not in order.

But if members are interested in the health of the Iraqis — and we have heard so many noble representatives speak here about the health of the Iraqis, and we thank them — let us look at some facts. The Minister of Health provided me with a table, which I shall circulate to members of the Council as soon as possible. The list is entitled "Status of arrived articles for the eight phases, until 19 June 2001". It is done in terms of percentages or ratios. The total amounts of items received are as follows: phase I, 85.73 per cent; phase II, 89.21 per cent; phase III, 81.79 per cent; phase IV, 80.88 per cent; phase V, 79.67 per cent; phase VI, 58.24 per cent; phase VII, 41.02 per cent; and phase VIII, 1.09 per cent. That is the value of items for the health sector, the status of the goods received.

I also have other charts copies of which I shall provide members, concerning deaths due to the embargo, whether of children or of mothers. I shall further circulate charts on the effect of the embargo on the nutritional status of children, on infectious diseases and on communicable diseases.

What is the reason for this situation? It is the policy of putting contracts on hold, and the tendentious — or I should say the dirty — interventions on certain occasions causing goods not to reach Iraq. I shall provide just one example. There was a contract for the supply to Iraq of a blood-gas analyser. The seller is the French branch of Bayer. That contract was put on hold for a year and a half. We needed the analyser badly for heart operations and for children who were suffering from diarrhoea.

Consequently, contacts were initiated with the Secretary-General. The Office of the Iraq Programme was approached. The Coordinator was approached. That collective approach got the contract released from the hold that had been put on it. Did we get it? No. Why not? After the release of the contract, the Committee sent a letter to the Ministry of Health and said that the contract was thereby cancelled.

This is the worrying health situation in Iraq: a blood gas analyser to be used for the services I have outlined. If pressure is employed to release contracts, some are released, while others are put on hold. If one is released, outside pressures are applied to cancel contracts. And so on and so forth. You get a dentist's chair, but you do not get the other equipment needed to use it. When you leave it in storage while waiting for the rest, because the other contracts are not yet released — ah! — Iraq is not carrying out the distribution. Along comes the suggestion of an integrated approach — batches of contracts put together — and then other problems appear. And so forth and so on.

Now I will discuss a recent event, one that should be really fresh in the minds of Security Council members. Correct me, please, if I am wrong. There was a meeting of informal consultations which was held a few days ago in which Mr. Zarif and Ms. Davis of UNMOVIC were requested to present a report to the Council on whether some of the items that I mentioned in the lists being discussed by the Council were the subject matter of contracts that had been allowed in the past by the Committee established pursuant to resolution 661 (1990). They did not present that report. Why? The Council has clout with States; it does not have clout with international civil servants?

I do not want to go any further with this. But, if I am forced to, I will name names. All members of the Council have in their Missions the Blue Book published by the United Nations on the situation between Iraq and Kuwait. That book has a 150-page introduction. Go to paragraph 100 of that particular document. You will see an argument very fitting to the American and British case, regarding the false claim that the no-fly zones are legal under Security Council resolution 687 (1991). The way this was done was, instead of putting in paragraph 1 of resolution 687 (1991) in full, it was chopped in half. The half that serves Iraq is not mentioned. Such is the impartiality of international civil servants. I have nothing against international civil servants, by the way. But it is also true that any international organization is a reflection of the state of international relations at any particular moment. When there is a balance of power in the world, it is reflected in the work of organizations. When the world loses the balance of power, it is reflected in international organizations. But if we are not prepared to recognize at least that power politics and arrogance of power are not reflective of the Charter as our forefathers envisaged it, and if we go on just simply repeating like parrots, "international legitimacy, international legitimacy, international community, international community", we will not be doing a disservice to the United Nations as an Organization — we will mainly be doing a disservice to our own respective nations, States, Governments, backgrounds, futures and hopes.

Having said this, I cannot consider that international civil servants are immune at all times from pressures, from personal interest, from wanting to live better or from just wanting to survive and keep their jobs. So in United Nations resolutions, when so many matters are put in the hands of international civil servants, and when you do not have control over them, and the main party is not even allowed to get into the business of clarifying the situation to the Council formally on the record, Council members will end up committing grave acts of injustice in the name of international legitimacy at a time when you will be far off the mark.

I know for a fact — and I will name names if need be — that a report was written by the Coordinator and all of the directors of the specialized agencies, offices and programmes in Iraq, signed collectively, outlining an assessment of an in-the-field view of the humanitarian situation in Iraq, and was sent via the Secretariat to Ambassador Celso Amorim. We recently learned that he did not receive that report. Yes, Mr. Sevan. Just raise your head in disagreement. You have no other option but to do so. I am willing to cross swords with you in public. Incidentally, you are not the one who embargoed that report. So do not be rash in disagreeing.

Why do I speak with this intensity, for which I apologize? Because it is my job to deal with this on a daily basis. These are the facts as I see them. I am talking about the transfer of Iraqi funds from one account to another by the banks entrusted by the United Nations with these tasks — and the Iraqi Central Bank does not know a thing about these transfers? About when the transfers were made, to whom, to which branch, on what value date so as to calculate whether the money has gone and where?

A supplier concludes a contract, and the contract is approved and he ships his goods, and the goods arrive, and he is supposed to be paid. These are the rules of the Memorandum of Understanding. Why is payment not made promptly? Why are there delays in payments by the banks that go on, in certain cases, up to thirty days? Take thirty days of funds withdrawn and put in another account? Calculate the interest. Where does that go? We have around us so many Garfields, it seems, and they are getting even fatter.

So it is facile to blame Iraq. The Ambassador of Canada even blamed my President for the non-achievement of the humanitarian objectives of oil for food — the oil for food which has come to be the fat pot for so many parasites.

I hear from my United Nations colleagues that a mission to Iraq is one of the most cherished and sought-after assignments by United Nations Secretariat staff. Why? Is Iraq the French Riviera? Or is it the beautiful seashores of Jamaica? It is hot now. Is that why?

It is the money, gentlemen. Could commissions be taken by United Nations officers? Are they not being used to renovate buildings? Why are there requests for visas for carpenters and mechanics? Do we not have them locally?

Well, the story is long. I have taken more than two hours. I thank you very much, Mr. President, for your patience, and I thank the members for their patience. But I reserve my right to respond to any right of reply that might be exercised, because I am well equipped to go ahead even with further details, revealing even more names, regardless of what the impact will be.

The President: There are no further speakers left on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 7.15 p.m.